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Species at Risk Act

Annual Report

for 2010

Canada

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1. INTRODUCTION

1.1 The Purpose of the Annual Report

The *Species at Risk Act* (SARA) received Royal Assent on December 12, 2002, and came fully into force on June 1, 2004.

This report summarizes SARA-related activities carried out in 2010. The report fulfils the Minister of the Environment's obligation, under section 126 of the Act, to prepare an annual report on the administration of SARA for each calendar year. The Act requires that the report include a summary addressing the following matters:

a) the assessments of the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) and the Minister's response to each of them;

b) the preparation and implementation of recovery strategies, action plans and management plans;

c) all agreements made under sections 10 to 13;

d) all agreements entered into and permits issued under section 73, and all agreements and permits amended under section 75 or exempted under section 76;

e) enforcement and compliance actions taken, including the response to any requests for investigation;

f) regulations and emergency orders made under SARA; and

g) any other matters that the Minister considers relevant.

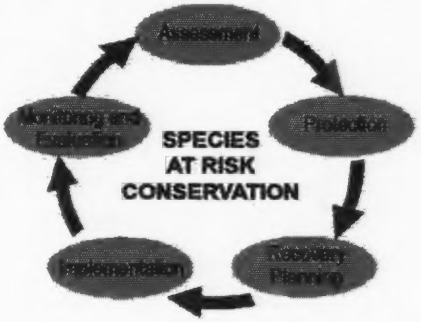
This introductory section provides background information on SARA and outlines the responsibilities of the federal departments and agencies under the Act. Subsequent sections describe the following activities under SARA:

- wildlife assessment and listing under SARA;
- protection measures for listed species;
- recovery planning for listed species;
- recovery implementation;
- monitoring and evaluation; and
- consultation and governance.

1.2 Background on SARA

1.2.1 The Government's Strategy for Species at Risk

SARA is the legislative basis for the Government of Canada's strategy for the protection of wildlife species at risk. It supports the federal commitments under the 1996 Accord for the Protection of Species at Risk. The Habitat Stewardship Program for Species at Risk also supports these commitments, by providing a mechanism to encourage action by all Canadians in the recovery of species at risk (see section 5.2.2.1). Species at risk conservation is shared by all jurisdictions in Canada, and is a process based on assessment, protection, recovery planning, implementation, and monitoring and evaluation, as illustrated in the diagram below. The Act recognizes this joint responsibility and that all Canadians have a role to play in the protection of wildlife.



1.2.2 The Purpose of SARA

SARA is an important tool for conserving and protecting Canada's biological diversity. The purposes of the Act are to prevent wildlife species from being extirpated or becoming extinct, to provide for the recovery of wildlife species that are extirpated, endangered or threatened as a result of human activity, and to manage species of special concern to prevent them from becoming endangered or threatened.

The Act establishes a process for conducting scientific assessments of the status of individual wildlife species and a mechanism for listing

extirpated, endangered, threatened and special-concern species. SARA also includes provisions for the protection, recovery and management of listed wildlife species and their critical habitats[1] and residences,[2] as appropriate.

SARA complements existing legislation and supports domestic implementation of certain international conventions, including:

- the *Canadian Environmental Assessment Act*;
- the *Canada Wildlife Act*;
- the *Migratory Birds Convention Act, 1994*;
- the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act*;
- the *Fisheries Act*;
- the *Oceans Act*;
- the *Canada National Parks Act*;
- the *Canada National Marine Conservation Areas Act*;
- the *Saguenay–St. Lawrence Marine Park Act*;
- the Convention on International Trade in Endangered Species of Wild Fauna and Flora; and
- the Convention on Biological Diversity.

1.3 Responsible Authorities for Implementation of SARA

The Parks Canada Agency, Fisheries and Oceans Canada, and Environment Canada are the three government organizations, commonly referred to as the "competent" departments, that share responsibility for the implementation of SARA. The ministers responsible for these organizations are known as the "competent" ministers under SARA. The Minister of the Environment is the minister responsible for both Environment Canada and the Parks Canada Agency. Their responsibilities are as follows:

- The Minister responsible for the Parks Canada Agency is responsible for individuals of species at risk found in national parks, national historic sites or other protected heritage areas.
- The Minister of Fisheries and Oceans is responsible for aquatic species at risk other than individuals in or on federal lands administered by the Parks Canada Agency.
- The Minister of the Environment is responsible for all other species at risk.

The competent ministers have the authority to make many of the decisions in their areas of responsibility, including ministerial protection orders and some of the recommendations for orders that are made to the Governor in Council.

The Minister of the Environment is the minister responsible for the administration of SARA, including the List of Wildlife Species at Risk. The Minister of the Environment is required to consult with the other competent ministers as necessary on matters related to SARA administration. Orders in Council to list species under SARA are made by the Governor in Council on the recommendation of the Minister of the Environment.

2. WILDLIFE ASSESSMENT AND LISTING UNDER SARA

SARA establishes a process for conducting scientific assessments of the status of individual wildlife species. The Act separates the scientific assessment process from the listing decision, ensuring that scientists can provide fully independent assessments and that decisions affecting Canadians are made by elected officials who are accountable for those decisions.

2.1 COSEWIC Assessments

The Committee on the Status of Endangered Wildlife in Canada (COSEWIC) is the committee of experts that identifies and assesses wildlife species at risk in Canada. It includes members from government, academia, Aboriginal organizations, non-governmental organizations and the private

[1] Under SARA, "critical habitat" is defined as the habitat that is necessary for the survival or recovery of a listed wildlife species (see section 4.2).

[2] "Residence" means a dwelling-place, such as a den, nest or other similar area or place, that is occupied or habitually occupied by one or more individuals during all or part of their life cycles, including breeding, rearing, staging, wintering, feeding or hibernating.

sector. Federal government support of COSEWIC and its assessments is provided by Environment Canada, Fisheries and Oceans Canada, and the Parks Canada Agency.

COSEWIC assesses the status of a wildlife species using the best available information on the biological status of a species, including scientific knowledge, community knowledge and Aboriginal Traditional Knowledge (ATK). The committee provides assessments and supporting evidence annually to the Minister of the Environment.

COSEWIC can assess wildlife species as extinct, extirpated, endangered, threatened, of special concern, data deficient or not at risk:

- An extirpated wildlife species no longer exists in the wild in Canada but exists elsewhere in the world.
- An endangered wildlife species faces imminent extirpation or extinction.
- A threatened wildlife species is likely to become endangered if nothing is done to reverse the factors leading to its extirpation or extinction.
- A wildlife species of special concern may become threatened or endangered because of a combination of biological characteristics and identified threats.

Further details on risk categories and more information on COSEWIC are available at www.cosewic.gc.ca.

To help prioritize species for detailed status assessments, COSEWIC uses the general status ranks outlined in the reports entitled *Wild Species: The General Status of Species in Canada*. Reports from the Wild Species series are produced every five years by the National General Status Working Group (see section 7.3.4), a joint federal–provincial–territorial initiative led by Environment Canada. The first report, *Wild Species 2000* (released in 2001), provided general assessments of 1670 species in Canada. The second report, *Wild Species 2005* (released in 2006), presented general status assessments for 7732 species from all provinces, territories and ocean regions, representing all of Canada's vertebrate species (fish, amphibians, reptiles, birds and mammals), all of Canada's vascular plants, and four invertebrate groups (freshwater mussels, crayfishes, ordinates and tiger beetles). The third report, *Wild Species 2010*, is expected to be released in June 2011, and includes assessments of 11 950 species. Reports from the Wild Species series have greatly increased the number and variety of species assessed nationally, but with the total number of species in Canada estimated at more than 70 000, there are still many species left to be assessed. The reports can be found at www.wildspecies.ca.

Environment Canada, the Parks Canada Agency, and Fisheries and Oceans Canada provide input to the assessment process via their representation on COSEWIC and through the population surveys that they conduct on some species of interest to COSEWIC. In keeping with section 20 of SARA, Environment Canada provides COSEWIC with professional, technical, secretarial, clerical and other assistance that is necessary to carry out its functions via the COSEWIC Secretariat, which is housed within Environment Canada. Environment Canada scientists are regularly involved in the peer review of COSEWIC status reports.

Prior to COSEWIC meetings, Fisheries and Oceans Canada leads a peer-review process to gather data in order to provide COSEWIC with all available information held by that department on aquatic species, for inclusion in the status reports. This process involves government scientists, experts from academia and other stakeholders, as appropriate. Fisheries and Oceans Canada staff participate in the review of COSEWIC species status reports before COSEWIC species assessments are finalized. In 2010, Fisheries and Oceans Canada conducted pre-COSEWIC scientific meetings on four aquatic species and reviewed species status reports from COSEWIC for 42 aquatic species.

When COSEWIC designates aquatic species as threatened or endangered, Fisheries and Oceans Canada, as the competent department under SARA, is required to undertake a number of actions. Many of these actions require scientific information on the current status of the species, population or designatable unit, threats to its survival and recovery, and the feasibility of its recovery.

Formulation of this scientific advice has typically been developed through a recovery-potential assessment that is conducted shortly after the COSEWIC assessment. This scientific, peer-reviewed assessment provides the mechanism for Fisheries and Oceans Canada, recovery teams and the public to receive the best scientific advice possible about a species' potential for recovery. These assessments are taken into consideration in the SARA processes, including at the recovery planning stage.

The Parks Canada Agency uses a tool known as the Detailed Assessment to measure the conservation status of a species (essentially, its risk of being extirpated from a given heritage place), determine changes in a species' population levels, and evaluate the effectiveness of management activities for a species. This diagnostic tool helps the Agency to identify feasible recovery opportunities and knowledge gaps for species at risk at each heritage place under the Agency's responsibility (i.e. national parks, national marine conservation areas, and national historic sites). The information in Detailed Assessments contributes to the update of the Wild Species report and to COSEWIC status reports. The Agency's long-term goal is to conduct Detailed Assessments on the conservation status for species at risk found within its network of heritage places.

In 2010, 85 species were assessed in heritage places using the Detailed Assessment tool. This brings the total number of species assessed in heritage places since 2002 to 273, accounting for 85% of species assessed by COSEWIC and 99% of species listed on Schedule 1 of SARA that are found on Parks Canada lands and waters.

2.1.1 COSEWIC Subcommittee on Aboriginal Traditional Knowledge

SARA requires that COSEWIC assess the conservation status of wildlife species on the basis of the best available information, including scientific knowledge, community knowledge and Aboriginal Traditional Knowledge (ATK). The Act also requires that COSEWIC establish a supporting subcommittee on ATK.

Activities of the ATK Subcommittee (ATK SC) for 2010 included the following:

- Three ATK SC meetings were held: in Victoria, British Columbia, in May; in Charlottetown, Prince Edward Island, in August; and in Gatineau, Quebec, in October.
- To determine how best to work effectively with COSEWIC and Aboriginal communities to incorporate ATK into the assessment of endangered wildlife species, the ATK SC began to develop a strategic plan in March 2010. As part of this plan, the ATK SC organized a strategic planning workshop in March 2010.
- The ATK SC produced the finalized version of the *COSEWIC ATK Process and Protocol Guidelines* after hearing from Elders and holders of ATK and Inuit Qaujimajatuqangit (traditional Inuit Knowledge) from across Canada. This document, which was approved by COSEWIC in April 2010, provides guidelines to COSEWIC on how to work respectfully with Aboriginal people to collect ATK to be incorporated into COSEWIC's wildlife species assessment process.
- A workshop on the COSEWIC ATK process was held in Gatineau, Quebec, in October 2010, with representatives from the National Aboriginal Council on Species at Risk (NACOSAR), COSEWIC, and the three competent departments. Participants gained knowledge about the COSEWIC ATK process and shared information on their experiences with ATK in relation to SARA.

2.1.2 Wildlife Species Assessments in 2010

COSEWIC finalized the following wildlife species assessments, grouped in batches, between 2002 and 2010:

- Batch 1: 115 wildlife species in May 2002, November 2002 and May 2003;
- Batch 2: 59 wildlife species in November 2003 and May 2004;
- Batch 3: 73 wildlife species in November 2004 and May 2005;
- Batch 4: 68 wildlife species in April 2006;

- Batch 5: 64 wildlife species in November 2006 and April 2007;
- Batch 6: 46 wildlife species in November 2007 and April 2008;
- Batch 7: 48 wildlife species in November 2008 and April 2009; and
- Batch 8: 79 wildlife species in November 2009 and April 2010.

Details on batches 1 through 7 can be found in Table 3 (see section 2.2.4), and in previous SARA annual reports at www.sararegistry.gc.ca/approach/act/sara_annual_e.cfm.

Batch 8

At the November 2009 and April 2010 meetings, COSEWIC finalized the assessments of 79 wildlife species (Batch 8):

- One wildlife species was examined and found to be data-deficient.
- Seventy-eight were assessed as at risk, of which 34 were confirmed at the classification already attributed to them on Schedule 1.[3]

COSEWIC forwarded these assessments to the Minister of the Environment in August 2010.

2.2 Listing

2.2.1 Listing Process

Upon receiving COSEWIC's assessments, the Minister of the Environment has 90 days to post a response statement on the Species at Risk Public Registry that indicates how the Minister intends to respond to each assessment and provides timelines for action, to the extent possible. During this 90-day period, the competent minister carries out an internal review to determine the level of public consultation and socio-economic analysis necessary to inform the listing decision. Timelines for action and the scope of consultations included in the response statement are based on the results of this initial review.

The next step in the listing process is for the Minister to provide the COSEWIC assessments to the Governor in Council, and for the Governor in Council to officially acknowledge receipt of the assessments by publishing, in the *Canada Gazette*, an order acknowledging receipt.

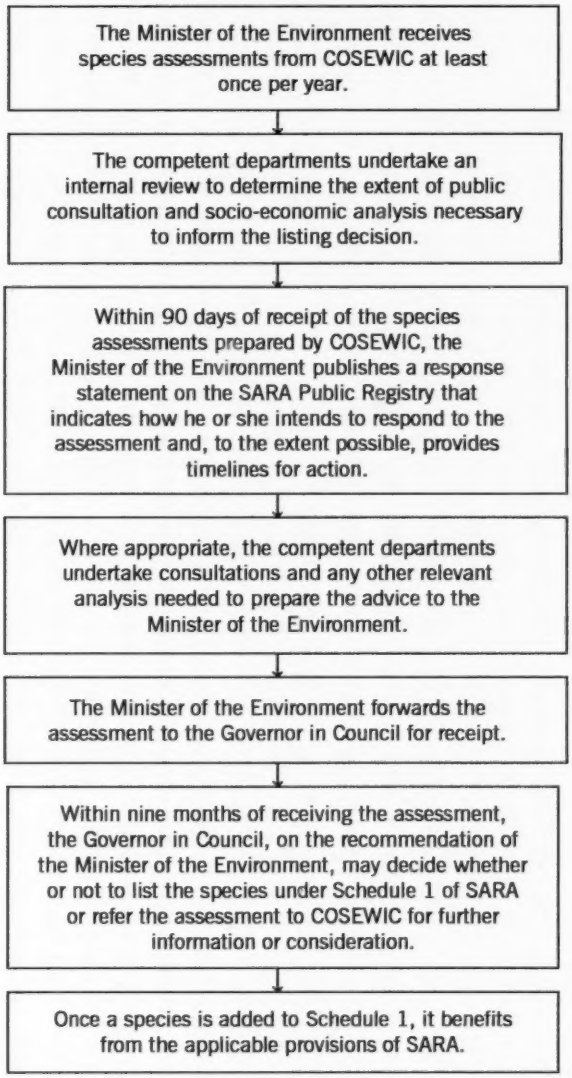
Following receipt by Governor in Council of the assessments, the Minister must prepare a recommendation to the Governor in Council regarding each of the species proposed for listing, de-listing, reclassification, or referral back to COSEWIC for further information or consideration. When making a recommendation to the Governor in Council, the Minister of the Environment cannot vary the status of a species as assessed by COSEWIC. As required by the *Cabinet Directive on Streamlining Regulation*, the competent minister will conduct public consultations and socio-economic analyses and consider the results prior to making a recommendation. Under section 27 of SARA, the Governor in Council has the authority, on the recommendation of the Minister of the Environment, to add a species to Schedule 1 of SARA in accordance with the status assessment by COSEWIC, not add a species to Schedule 1 of SARA, to remove a species from Schedule 1 of SARA, or to change the status designation of a species already listed on Schedule 1. The Governor in Council also has the authority to refer the assessment back to COSEWIC.

Species that were designated as being at risk by COSEWIC prior to October 1999 were listed under schedules 2 and 3. These species are being reassessed using revised criteria, following which the Governor in Council may, on the recommendation of the Minister, add the species to Schedule 1. All Schedule 2 species have been reassessed by COSEWIC, and at the end of 2010 there were 12 Schedule 3 species remaining to be assessed.

The chart shown in Figure 1 further describes the species listing process. Table 3 (see section 2.2.4) provides the status of the listing process for each batch of assessed species.

[3] Every 10 years, or earlier if warranted, COSEWIC reassesses wildlife species previously designated in a category of risk, with an updated status report. As necessary, COSEWIC may also reassess other wildlife species previously found not at risk or data-deficient, again with an updated status report.

Figure 1: The Species Listing Process under SARA


The Minister of the Environment receives species assessments from COSEWIC at least once per year.
The competent departments undertake an internal review to determine the extent of public consultation and socio-economic analysis necessary to inform the listing decision.
Within 90 days of receipt of the species assessments prepared by COSEWIC, the Minister of the Environment publishes a response statement on the SARA Public Registry that indicates how he or she intends to respond to the assessment and, to the extent possible, provides timelines for action.
Where appropriate, the competent departments undertake consultations and any other relevant analysis needed to prepare the advice to the Minister of the Environment.
The Minister of the Environment forwards the assessment to the Governor in Council for receipt.
Within nine months of receiving the assessment, the Governor in Council, on the recommendation of the Minister of the Environment, may decide whether or not to list the species under Schedule 1 of SARA or refer the assessment to COSEWIC for further information or consideration.
Once a species is added to Schedule 1, it benefits from the applicable provisions of SARA.

2.2.2 Federal Government Response to COSEWIC Assessments

In September 2010, the Minister of the Environment received from COSEWIC the assessments for 78 wildlife species at risk from Batch 8, including 31 aquatic species. In December 2010, the Minister posted response statements for these 78 species. The response statements indicated the following:

- For 27 wildlife species, normal consultations (i.e. consistent with the consultation path that is typical for most species; see Figure 1) would be undertaken. These included 25 terrestrial species and two aquatic species. Eight of these 27 species were already listed on Schedule 1—two as endangered, five as threatened and one as being of special concern. The two endangered species are now eligible to have their risk status lowered ("downlisted"): one to threatened and the other to special concern. Of the five threatened species, three are now eligible to have their risk status lowered ("downlisted") to special concern, and the other two are eligible to have their risk status raised ("uplisted") to endangered. The special concern species is eligible to be uplisted to threatened.
- For 17 aquatic wildlife species, extended consultations would be undertaken, because listing these species could potentially have marked impacts on the activities of Aboriginal peoples, commercial and recreational fishers, or Canadians at large.
- The Minister also posted 34 response statements for species already listed and for which COSEWIC had confirmed the risk classification already attributed to them on Schedule 1. For these 34 species, no further regulatory measures were required.

Table 1: List of species for which a response statement was posted during the 2010 reporting year

COSEWIC Risk Status	Taxon	English legal name	Scientific name
Normal consultation			
Endangered	Arthropod	Bert's Predaceous Diving Beetle	*Sanfilippodytes bertae*
Endangered	Arthropod	Bogbean Buckmoth	*Hemileuca* sp.
Endangered	Arthropod	Laura's Clubtail	*Stylurus laurae*
Endangered	Arthropod	Northern Barrens Tiger Beetle	*Cicindela patruela*
Endangered	Arthropod	Rusty-patched Bumble Bee	*Bombus affinis*
Endangered	Arthropod	Wallis' Dark Saltflat Tiger Beetle	*Cicindela parowana wallisi*
Endangered	Vascular plant	Coast Manroot	*Marah oreganus*
Endangered	Vascular plant	Four-leaved Milkweed	*Asclepias quadrifolia*
Endangered	Vascular plant	Whitebark Pine	*Pinus albicaulis*
Endangered	Vascular plant	Victoria's Owl-clover	*Castilleja victoriae*
Endangered	Vascular plant	Virginia Mallow	*Sida hermaphrodita*
Endangered	Lichen	Pale-bellied Frost Lichen	*Physconia subpallida*
Endangered	Lichen	Vole Ears	*Erioderma mollissimum*
Threatened	Bird	Bicknell's Thrush	*Catharus bicknelli*
Threatened	Bird	Bobolink*	*Dolichonyx oryzivorus*
Threatened	Bird	Chestnut-collared Longspur	*Calcarius ornatus*
Threatened	Mollusc	Atlantic Mud-piddock	*Barnea truncata*
Special Concern	Lichen	Oldgrowth Specklebelly Lichen	*Pseudocyphellaria rainierensis*
Special Concern	Mollusc	Threaded Vertigo	*Nearctula* sp.
Uplist from Special Concern to Threatened	Bird	Lewis's Woodpecker	*Melanerpes lewis*
Uplist from Threatened to Endangered	Amphibian	Fowler's Toad	*Anaxyrus fowleri*
Uplist from Threatened to Endangered	Reptile	Queensnake	*Regina septemvittata*
Downlist from Threatened to Special Concern	Vascular plant	Redroot	*Lachnanthes caroliniana*
Downlist from Threatened to Special Concern	Vascular plant	Tubercled Spike-rush	*Eleocharis tuberculosa*
Downlist from Threatened to Special Concern	Vascular plant	Western Blue Flag	*Iris missouriensis*
Downlist from Threatened to Special Concern	Mollusc	Wavy-rayed Lampmussel	*Lampsilis fasciola*
Downlist from Endangered to Threatened	Mammal	Swift Fox	*Vulpes velox*
Extended consultation			
Endangered	Reptile	Loggerhead Sea Turtle	*Caretta caretta*
Endangered	Fish	Atlantic Cod (Laurentian North population)	*Gadus morhua*

Table 1. (Continued)

COSEWIC Risk Status	Taxon	English legal name	Scientific name
Endangered	Fish	Atlantic Cod (Laurentian South population)	*Gadus morhua*
Endangered	Fish	Atlantic Cod (Newfoundland and Labrador population)	*Gadus morhua*
Endangered	Fish	Atlantic Cod (Southern population)	*Gadus morhua*
Endangered	Fish	Deepwater Redfish (Gulf of St. Lawrence – Laurentian Channel population)	*Sebastes mentella*
Threatened	Fish	Deepwater Redfish (Northern population)	*Sebastes mentella*
Threatened	Fish	Acadian Redfish (Atlantic population)	*Sebastes fasciatus*
Threatened	Fish	Acadian Redfish (Bonne Bay population)	*Sebastes fasciatus*
Threatened	Fish	Quillback Rockfish	*Sebastes maliger*
Threatened	Fish	Umatilla Dace	*Rhinichthys umatilla*
Threatened	Fish	Yellowmouth Rockfish	*Sebastes reedi*
Special Concern	Fish	Atlantic Cod (Arctic Lakes population)	*Gadus morhua*
Special Concern	Fish	Basking Shark (Atlantic population)	*Cetorhinus maximus*
Special Concern	Fish	Darkblotched Rockfish	*Sebastes crameri*
Special Concern	Fish	Rocky Mountain Sculpin (Westslope populations)	*Cottus* sp.
Special Concern	Fish	Spiny Dogfish (Atlantic population)	*Squalus acanthias*
Status confirmed—no consultations			
Extirpated	Mammal	Grey Whale (Atlantic population)	*Eschrichtius robustus*
Extirpated	Bird	Greater Prairie-Chicken	*Tympanuchus cupido*
Extirpated	Arthropod	Frosted Elfin	*Callophrys irus*
Extirpated	Arthropod	Island Marble	*Euchloe ausonides insulanus*
Extirpated	Arthropod	Karner Blue	*Lycaeides melissa samuelis*
Extirpated	Mollusc	Dwarf Wedgemussel	*Alasmidonta heterodon*
Endangered	Bird	Eskimo Curlew	*Numenius borealis*
Endangered	Bird	Acadian Flycatcher	*Empidonax virescens*
Endangered	Bird	Mountain Plover	*Charadrius montanus*
Endangered	Bird	Whooping Crane	*Grus americana*
Endangered	Reptile	Sharp-tailed Snake	*Contia tenuis*
Endangered	Fish	Paxton Lake Benthic Threespine Stickleback	*Gasterosteus aculeatus*
Endangered	Fish	Paxton Lake Limnetic Threespine Stickleback	*Gasterosteus aculeatus*
Endangered	Fish	Vananda Creek Benthic Threespine Stickleback	*Gasterosteus aculeatus*

Table 1. (Concluded)

COSEWIC Risk Status	Taxon	English legal name	Scientific name
Endangered	Fish	Vananda Creek Limnetic Threespine Stickleback	*Gasterosteus aculeatus*
Endangered	Fish	Western Brook Lamprey (Morrison Creek population)	*Lampetra richardsoni*
Endangered	Mollusc	Northern Riffleshell	*Epioblasma torulosa rangiana*
Endangered	Mollusc	Rayed Bean	*Villosa fabalis*
Endangered	Vascular plant	Eastern Mountain Avens	*Geum peckii*
Endangered	Vascular plant	Eastern Prickly Pear Cactus	*Opuntia humifusa*
Endangered	Vascular plant	Cucumber Tree	*Magnolia acuminata*
Endangered	Vascular plant	Pink Milkwort	*Polygala incarnata*
Endangered	Vascular plant	Virginia Goat's-rue	*Tephrosia virginiana*
Endangered	Moss	Rigid Apple Moss	*Bartramia stricta*
Threatened	Bird	Sprague's Pipit	*Anthus spragueii*
Threatened	Fish	Eastern Sand Darter (Ontario populations)	*Ammocrypta pellucida*
Threatened	Fish	Eastern Sand Darter (Quebec populations)	*Ammocrypta pellucida*
Threatened	Fish	Coastrange Sculpin (Cultus population)	*Cottus aleuticus*
Threatened	Vascular plant	Dense Blazing Star	*Liatris spicata*
Special Concern	Bird	Flammulated Owl	*Otus flammeolus*
Special Concern	Bird	Savannah Sparrow *princeps* subspecies	*Passerculus sandwichensis princeps*
Special Concern	Bird	Yellow Rail	*Coturnicops noveboracensis*
Special Concern	Amphibian	Great Plains Toad	*Anaxyrus cognatus*
Special Concern	Arthropod	Monarch	*Danaus plexippus*

*As a result of pre-consultations, it was determined that the Bobolink, which is already protected under the *Migratory Birds Convention Act*, requires further analysis to determine the impact of listing. As such, it will be subject to extended consultations, thereby changing the number of species undergoing normal consultations from 27 to 26 (25 terrestrial and 2 aquatic to 24 terrestrial and 2 aquatic).

2.2.3 Public Consultations

In December 2010, the Minister of the Environment launched consultations on whether to modify the status of, or add to Schedule 1 of SARA, 25[4] terrestrial species. Eighteen of these species are newly eligible for addition to Schedule 1, three are being considered for uplisting to higher risk status, and four are being considered for downlisting to a lower risk status. To facilitate consultations, the document *Consultation on Amending the List of Species under the* Species at Risk Act: *Terrestrial Species – November 2010* was made publicly available on the Species at Risk Public Registry at www.sararegistry.gc.ca/document/default_e.cfm?documentID=2106. The Government also contacted approximately 1740 targeted stakeholders, including provincial and territorial governments, wildlife management boards, Aboriginal communities, and other stakeholders and affected parties.

[4] This number was reduced to 24 as a result of the decision to hold extended consultations for the Bobolink.

In 2010, Fisheries and Oceans Canada undertook listing consultations on more than 12 aquatic species (including five from Batch 7 and one from Batch 8 of COSEWIC assessments). Public consultations were facilitated through emails to stakeholders and interested parties, and by posting other supporting documents on the Species at Risk Public Registry and the Fisheries and Oceans Canada website. Consultation documents and summaries of the socio-economic analyses were mailed directly to other government departments, stakeholders, Aboriginal peoples and non-governmental organizations. As well, meetings were held with interested or potentially affected individuals and organizations.

Also in 2010, the Parks Canada Agency continued to work with Environment Canada and Fisheries and Oceans Canada to ensure that all stakeholders were consulted and that the duplication of consultation efforts was avoided.

2.2.4 Listing Decisions

When making a listing decision, the Government of Canada relies on the scientific assessments provided by COSEWIC, any other relevant scientific information, an assessment of the costs and benefits (including social, cultural and economic) to Canadians, and comments received through consultations with other federal departments or agencies, other levels of government, Aboriginal peoples, wildlife management boards, stakeholders and the public. Governor in Council decisions to add a species to Schedule 1 are published as orders amending Schedule 1 of SARA in the *Canada Gazette*, and include Regulatory Impact Analysis Statements. Decisions to not add a species at risk to Schedule 1 of SARA or to refer the matter back to COSEWIC are published in the *Canada Gazette* with an explanatory note. The orders are also published on the Species at Risk Public Registry.

In 2010, 22 species (6 species from Batch 5 and 16 species from Batch 6), including four aquatic species, were added to Schedule 1 of SARA; three species (from Batch 6) had their status on Schedule 1 uplisted to a higher risk status (including the Eastern Foxsnake, which was split into two populations that were both uplisted); and none were downlisted to a lower risk status. The Governor in Council made four decisions to not list in 2010 (one species from Batch 4 and three species from Batch 3).

In June 2010, 17 species assessments were received by the Governor in Council, who thereafter had nine months to make a decision on whether to list the species under Schedule 1 of SARA or refer the assessment to COSEWIC for further information or consideration. These assessments included:

- 14 species from Batch 7 that underwent normal consultations; and
- three species from Batch 2 that underwent extended consultations.

2.2.5 SARA Schedule 1 Current Status

When SARA was proclaimed in June 2003, the official List of Wildlife Species at Risk (Schedule 1 of SARA) included 233 species. In 2005, 112 species were added to the original list. In 2006 and 2007, 44 and 36 more species were added, respectively. No species were added to or removed from Schedule 1 in 2008. In 2009, 22 species were added; 22 species were also added in 2010. Tables 4 and 5 show the number of species added to Schedule 1 each year, by risk status and government agency, respectively.

As of December 31, 2010, Schedule 1 listed 21 extirpated species, 213 endangered species, 125 threatened species, and 111 species of special concern.

Table 2: SARA listing decision made by the Governor in Council in 2010

Risk status	Taxon	English legal name	Scientific name
Moved to a higher level of risk ("uplisted")			
Endangered	Reptile	Eastern Foxsnake (Carolinian population)	*Pantherophis gloydi*
Endangered	Reptile	Eastern Foxsnake (Great Lakes / St. Lawrence population)	*Pantherophis gloydi*
Endangered	Vascular plant	Yellow Montane Violet *praemorsa* subspecies	*Viola praemorsa* subsp. *praemorsa*
Added to List of Wildlife Species at Risk ("listed")			
Endangered	Fish	Basking Shark (Pacific population)	*Cetorhinus maximus*
Endangered	Fish	Misty Lake Lentic Threespine Stickleback	*Gasterosteus aculeatus*
Endangered	Fish	Misty Lake Lotic Threespine Stickleback	*Gasterosteus aculeatus*
Endangered	Arthropod	Dusky Dune Moth	*Copablepharon longipenne*
Endangered	Arthropod	Pale Yellow Dune Moth	*Copablepharon grandis*
Endangered	Arthropod	Rapids Clubtail	*Gomphus quadricolor*
Endangered	Vascular plant	Rayless Goldfields	*Lasthenia glaberrima*
Endangered	Vascular plant	Foothill Sedge	*Carex tumulicola*
Endangered	Vascular plant	Fragrant Popcornflower	*Plagiobothrys figuratus*
Endangered	Vascular plant	Lindley's False Silverpuffs	*Uropappus lindleyi*
Endangered	Vascular plant	Muhlenberg's Centaury	*Centaurium muehlenbergii*
Threatened	Bird	Canada Warbler	*Wilsonia canadensis*
Threatened	Bird	Common Nighthawk	*Chordeiles minor*
Threatened	Bird	Ferruginous Hawk	*Buteo regalis*
Threatened	Bird	Olive-sided Flycatcher	*Contopus cooperi*
Threatened	Bird	Red Knot *roselaari* type	*Calidris canutus roselaari* type
Threatened	Reptile	Wood Turtle	*Glyptemys insculpta*
Threatened	Amphibian	Western Chorus Frog (Great Lakes / St. Lawrence – Canadian Shield population)	*Pseudacris triseriata*
Threatened	Lichen	Seaside Bone	*Hypogymnia heterophylla*
Special Concern	Bird	Great Blue Heron *fannini* subspecies	*Ardea herodias fannini*
Special Concern	Fish	Westslope Cutthroat Trout (British Columbia population)	*Oncorhynchus clarkii lewisi*
Special Concern	Vascular plant	Beach Pinweed	*Lechea maritima*
Decisions to not list			
Endangered	Fish	Winter Skate (Southern Gulf of St. Lawrence population)	*Leucoraja ocellata*
Threatened	Fish	Winter Skate (Eastern Scotian Shelf population)	*Leucoraja ocellata*
Threatened	Fish	Chinook Salmon (Okanagan population)	*Oncorhynchus tshawytscha*
Special Concern	Fish	Winter Skate (Georges Bank – Western Scotian Shelf – Bay of Fundy population)	*Leucoraja ocellata*

Table 3: Summary Status of the Listing Process for Species in Batches 1 to 8 at Year-end 2010

COSEWIC assessments					Minister Receipt	Consultation process		Governor in Council			Listing decision				
Batch	Date assessed	# of species assessed	# assessed as 'Species at Risk'					Receipt	Proposed listing decision (CGI)*	Final listing decision (CGII)*	Listed	Uplisted†	Downlisted†	Not listed	Referred back
Schedule 1 proclamation	–	–	233		–	–		–			233				
Batch 1	May 2002, Nov 2002, May 2003	115	95	91 new assessments	Jan. 2004	79 normal		Apr 2004	Oct 2004	Jan 2005	73			5‡	1
										July 2005					1
						12 extended		July 2005	Dec 2005	Apr 2006	2			4	6
				4 confirmations††	–	–		–			–				
Batch 2	Nov 2003, May 2004	59	51 new assessments		July 2004	44 normal		Oct 2004	May 2005	July 2005	39			4	1
						3 of the 4 species that were not listed in July 2005) ‡‡		June 2010	July 2010	[2011]					
						7 extended		Nov 2005	June 2006	Aug 2006	4§			8§	
Batch 3	Nov 2004, May 2005	73	59	55 new assessments	Aug. 2005	39 normal		Nov 2005	June 2006	Aug 2006	38				1
						16 extended	6 received by Governor in Council	Apr 2007	July 2007	Dec 2007	4			2	
							1 received by Governor in Council	June 2008	Jan 2009	Mar 2009	1				
							3 received by Governor in Council	June 2009	Dec 2009	Feb 2010				3	
							6 remained under extended consultation	[2011]	[2011]	[2011]					
				4 confirmations††	–	–		–			–				
Batch 4	Apr 2006	68	54	50 new assessments	Aug. 2006	35 normal **		Apr 2007	July 2007	Dec 2007	32	1			1
						15 extended	5 received by Governor in Council	June 2008	Jan 2009	Mar 2009	3	1			1
							1 received by Governor in Council	June 2009	Dec 2009	Feb 2010				1	
							9 remained under extended consultation	[2011]	[2011]	[2011]					
				4 confirmations††	–	–		–			–				
		other listing processes	1 emergency assessment		Apr. 2006	–		–		May 2007				1	
			5 assessment re-submissions***		Dec. 2006	1 normal		June 2008	Jan 2009	Mar 2009	1				
						4 normal		[2011]	[2011]	[2011]					
Batch 5	Nov 2006, Apr 2007	64	53	45 new assessments	Aug. 2007	23 normal		June 2008	Jan 2009	Mar 2009	17	2	4		
						22 extended	6 received by Governor in Council	June 2009	Dec 2009	Feb 2010	6				
							16 remained under extended consultation	[2011]	[2011]	[2011]					
				8 confirmations††	–	–		–			–				
Batch 6	Nov 2007, Apr 2008	46	39	25 new assessments	Aug. 2008	20 normal	19 normal	June 2009	Dec 2009	Feb 2010	16	3			
							1 received by Governor in Council	June 2009	[2011]	[2011]					
						5 extended		[2011]	[2011]	[2011]					
				14 confirmations††	–	–		–			–				

Table 3. (Concluded)

COSEWIC assessments					Minister Receipt	Consultation process		Governor in Council			Listing decision				
Batch	Date assessed	# of species assessed	# assessed as 'Species at Risk'					Receipt	Proposed listing decision (CGI)*	Final listing decision (CGII)*	Listed	Uplisted†	Downlisted†	Not listed	Referred back
Batch 7	Nov 2008, Apr 2009	48	46	29 new assessments	Aug 2009	20 normal	14 normal	June 2010	July 2010	[2011]					
							6 normal	[2011]	[2011]	[2011]					
						9 extended		[2011]	[2011]	[2011]					
				17 confirmations	–	–		–			–				
Batch 8	Nov 2009, Apr 2010	81	78	44 new assessments	Sept 2010	27 normal		[2011]	[2011]	[2012]					
						17 extended		[2012]	[2012]	[2012]					
				34 confirmations††	–	–		–			–				–

* *Canada Gazette* Part I/II.
† Change of the status of a species listed on Schedule 1 to a higher or lower category of risk.
‡ Includes the Polar Bear (referred back to COSEWIC in July 2005 after a decision not to list was made in January 2005).
†† Species on Schedule 1 for which COSEWIC has received/reassessed the status and for which no regulatory change is indicated.
§ COSEWIC assessed White Sturgeon as a single species but, for the recommendation to Governor in Council, Fisheries and Oceans Canada subdivided this population into six populations: of the six populations, four were listed and two were not.
** One species for which the Response statement indicated a Normal consultation path (Harbour Porpoise, Northwest Atlantic population) has not yet been received by Governor in Council.
*** The Governor in Council had referred species back to COSEWIC for reassessment. In late 2006, COSEWIC found that no reassessment was required for five of these species and so re-submitted the original assessments to the Minister.
‡‡ Further consultations as per land claims agreement requirements.

Table 4: Numbers of species added to Schedule 1 each year by risk status, as of December 2010

Year	Risk status				Total
	Extirpated	Endangered	Threatened	Special concern	
June 2003 (proclamation)	17	107	67	42	**233**
2005	4	47	30	31	**112**
2006	0	18	14	12	**44**
2007	0	20	5	11	**36**
2008	0	0	0	0	**0**
2009	0	8	3	11	**22**
2010	**0**	**11***	**8**	**4**	**23***
TOTAL	**21**	**211**	**127**	**111**	**470†**

* The Eastern Foxsnake was split into two populations. The new populations inherited the species' status on Schedule 1 of SARA before it was split, and both new populations were uplisted in 2010. For the purpose of this table, one of the new Eastern Foxsnake populations was treated as an addition to Schedule 1.

† Although the total number of listed species (470) is correct, the total listed as endangered and threatened may be slightly off, because the values presented in this table do not reflect status changes (i.e. uplisting or downlisting of a species).

Table 5: Number of species listed on Schedule 1 by department/agency responsible for recovery planning, as of December 2010

	Environment Canada	Fisheries and Oceans Canada	Parks Canada Agency	Total
Terrestrial mammals	24	–	4	**28**
Aquatic mammals	–	21	–	**21**
Birds	62	–	3	**65**
Reptiles	33	1	5	**39**
Amphibians	20	–	1	**21**
Fishes	–	61	–	**61**
Molluscs	4	14	2	**20**
Arthropods	25	–	4	**29**
Plants	117	–	48	**165**
Lichens	6	–	1	**7**
Mosses	10	–	4	**14**
TOTAL	**301**	**97**	**72**	**470**

3. PROTECTION MEASURES FOR LISTED SPECIES

3.1 Legislative Background

The protection that comes into effect following the addition of a species to Schedule 1 of SARA varies depending on the type of species (e.g. migratory bird, aquatic species), the status of the species that is listed, and the species' location in Canada.

Sections 32 and 33 of SARA make it an offence to:

- kill, harm, harass, capture or take an individual of a species that is listed as extirpated, endangered or threatened;
- possess, collect, buy, sell or trade an individual of a species that is listed as extirpated, endangered or threatened, or any of its parts or derivatives; or
- damage or destroy the residence of one or more individuals of a species that is listed as endangered or threatened, or of a species listed as extirpated if a recovery strategy has recommended its reintroduction into the wild in Canada.

These prohibitions apply automatically to listed aquatic species and to listed birds covered by the *Migratory Birds Convention Act, 1994* wherever they are found in Canada, and to all other species listed under SARA as endangered, threatened or extirpated, when they occur on federal lands.[5]

For species other than those in the situations described above, provinces and territories are given the first opportunity to protect listed species. If the province or territory does not act, the Governor in Council, on the recommendation of the Minister of the Environment, may order that the prohibitions in sections 32 and 33 apply for a given species on non-federal lands in a province or territory, or on lands not controlled by Environment Canada or the Parks Canada Agency in a territory. The Minister must make this recommendation if, after consultation with the provincial or territorial minister, and wildlife management board if required, the Minister finds that the species or its residence is not effectively protected by the laws of the province or territory.

3.2 Emergency Orders

Under section 29 of SARA, if the Minister of the Environment, after consultation with every other

[5] Under SARA, "federal land" includes, but is not limited to, Canada's territorial sea and internal waters, national parks, military training areas, national wildlife areas, some migratory bird sanctuaries, and First Nations' reserve lands.

competent minister, is of the opinion that there is an imminent threat to the survival of a wildlife species, the Minister must recommend to the Governor in Council that the species be added to the List of Wildlife Species at Risk as an endangered species on an emergency basis. No emergency listing was recommended by the Minister of the Environment in 2010.

Under section 80 of SARA, the Governor in Council may, on the recommendation of the competent minister, make an emergency order to provide for the protection of a listed wildlife species or its habitat on federal lands or on non-federal lands. The competent minister must make the recommendation if the minister is of the opinion that the species faces imminent threats to its survival or recovery and that equivalent measures have not been taken under another Act of Parliament to protect the species. The emergency order may identify habitat that is necessary for the survival or recovery of the species in the area to which the emergency order relates and include provisions prohibiting activities that may adversely affect the species and the identified habitat. The emergency order may also include provisions requiring actions that protect the species and the identified habitat, for species under federal jurisdiction. No emergency order was made by the Governor in Council in 2010.

3.3 Permits

Sections 73 to 78 of SARA address agreements, permits, licences, orders and other documents authorizing activities that otherwise would be offences under the Act. If all reasonable alternatives have been considered; if all feasible measures have been taken to minimize the impact of the activity; and if the survival or recovery of the species is not jeopardized, agreements may be made and permits may be issued under SARA for the following activities:

- scientific research related to conserving a listed species, conducted by qualified persons;
- activities that benefit a listed species or enhance its chances of survival in the wild; and
- activities that incidentally affect a listed species.

Environment Canada manages a web-based SARA permit tracking system to allow for more efficient processing and issuing of permits under sections 73 and 74 of the Act. In 2010, Environment Canada finalized the development and testing of the new e-permitting system, which will allow permit applications to Environment Canada to be completed and submitted online. The Department will implement the SARA component of the e-permitting project in 2011.

Environment Canada issued 38 permits in 2010 to allow for the monitoring, inventory or management of a variety of species of reptiles, amphibians, vascular plants, arthropods, birds, mosses and mammals, representing over 140 species. Of the total number of permits issued, 29 permits were for scientific research related to the conservation of a species; 5 permits were for activities benefiting a species or required to enhance its chance of survival in the wild; 3 permits were for activities that may incidentally affect a species; and 1 permit was for more than one purpose. Rationales for all permits issued by Environment Canada, Fisheries and Oceans Canada, and the Parks Canada Agency under the Act are posted on the Species at Risk Public Registry at www.sararegistry.gc.ca/sar/permit/permits_e.cfm.

The Parks Canada Agency maintains an online research permitting system to enhance services to researchers, and to ensure that the Agency is informed of research being conducted in national parks and national historic sites. The system incorporates a mandatory peer-review mechanism that ensures that every permitted research activity is SARA-compliant. The Parks Canada Agency issued 10 SARA-compliant permits in 2010, to academic and government researchers as well as Parks Canada scientists, for conservation research affecting species at risk.

In 2010, Fisheries and Oceans Canada issued 125 permits covering at least 19 listed aquatic species. These permits were issued under section 73 of SARA to different groups, including fisheries technicians, consultants, researchers, environmental scientists and *National Geographic* film crews, whose activities could incidentally affect listed species or their critical habitat. Peer-reviewed assessments determined that the level of harm from these activities would not jeopardize the survival or recovery of the listed species.

Fisheries and Oceans Canada issued approximately 14 100 *Fisheries Act* licences, containing conditions in accordance with the recovery strategies for the Spotted Wolffish, Northern Wolffish and Leatherback Sea Turtle.

3.4 Conservation Agreements

A competent minister may, after consultation with every other competent minister, and consultation with the Canadian Endangered Species Conservation Council or any of its members if the Minister considers it appropriate to do so, enter into a conservation agreement with any government in Canada, organization or person, to benefit a species at risk or enhance its survival in the wild.

The agreement must provide for the taking of conservation measures and any other measures consistent with the purposes of SARA, and may include measures with respect to:

- monitoring the status of the species;
- developing and implementing educational and public awareness programs;
- developing and implementing recovery strategies, action plans and management plans;
- protecting the species' habitat, including its critical habitat; or
- undertaking research projects in support of recovery efforts for the species.

Conservation agreements can also be entered into to provide for the conservation of a wildlife species that is not a species at risk.

No agreements were negotiated during the 2010 calendar year. However, the competent departments began work to develop the first agreements under section 11 of SARA.

3.5 Compliance Promotion

SARA recognizes that Canada's natural heritage is an integral part of our national identity and history. All Canadians have a role to play in the conservation of wildlife species and their habitats, and public involvement through education and awareness is essential to maintaining an effective compliance and enforcement program.

Officials from Environment Canada, Fisheries and Oceans Canada and the Parks Canada Agency continue working together to promote compliance with the Act, ensuring that Canadians are informed about SARA and their responsibilities under the Act. Offences committed under SARA can lead to legal proceedings.

Environment Canada is tasked with ensuring compliance with SARA for migratory birds throughout Canada and terrestrial species that are found on federal lands within Canada (other than federal lands under the authority of the Parks Canada Agency). Environment Canada's wildlife officers monitor compliance by checking permits, conducting patrols and inspections, and issuing warnings. They also assist in the delivery of outreach events that educate the public and partners about activities that affect wildlife and their habitat, and they share information within the Department and with federal and provincial partners. In 2010, the focus of Environment Canada's compliance promotion program was on enhancing coordination and increasing capacity within the Department.

A framework for Environment Canada's compliance promotion program for wildlife legislation was finalized. The overall goal of this framework is to build a foundation for the compliance promotion program and to strengthen the coordination of efforts across the country for SARA as well as for the other wildlife legislation administered by Environment Canada. Work is under way, and will continue through 2011, to implement many of the framework's key components. Work was undertaken by Environment Canada to coordinate the development of this framework with the Parks Canada Agency and Fisheries and Oceans Canada. The framework's goal is to ensure that the promotion of compliance with SARA is effective and delivered consistently across the federal departments that are responsible for implementing the Act.

In accordance with the *Cabinet Directive on Streamlining Regulation*, Environment Canada continued to plan for and carry out compliance promotion for regulatory initiatives, including orders to amend Schedule 1 of SARA. Specifically, in 2010 Environment Canada promoted compliance with SARA through information sessions for other government departments, Aboriginal and other stakeholder

communities, as well as through signage, area-user brochures, and volunteer guardian programs.

In 2010, fishery officers from Fisheries and Oceans Canada continued working with partners to promote SARA compliance, through education and outreach activities with affected communities and Aboriginal groups. Fishery officers dedicated more than 1400 hours to educating Canadians, through school visits, trade shows, workshops and community meetings, on the threats to aquatic species at risk and how they can help protect these species. These activities included the following:

- educating boat operators, including kayakers and fishing lodge staff, about the guidelines for viewing marine mammals from a safe and responsible distance;
- building relationships with all-terrain vehicle (ATV) communities and organizations at meetings and trade shows, to raise their awareness about the impacts of ATVs in streams that support SARA-listed species and to discourage the use of advertising that depicts ATVs crossing streams;
- paddling over 140 nautical miles with First Nations' members through traditional waterways along British Columbia's central coast, to raise awareness about SARA-listed species of local importance (e.g. Killer Whale and Northern Abalone) at stops in each community; and
- educating local fishers and stakeholders about the impacts of entanglement on Leatherback Sea Turtles, and encouraging members of the fishing industry to report sightings, entanglements and strandings, by creating an email network through which they can receive information from the department's regional offices as well as send in reports of incidents.

The Parks Canada Agency promotes compliance with SARA by initiating and maintaining public engagement in efforts to mitigate the factors that affect the protection and recovery of species at risk. The Agency also seeks to increase its knowledge of key audiences to build effective public education programs and initiatives. In 2010, the Agency continued to implement the Parks Canada Service—Prevention Guidelines, which recognize the importance, and support the implementation, of activities promoting awareness and understanding of species at risk and their habitat.

Conservation and Protection Officers spring into action

Stakeouts, vehicle and vessel patrols, inspection of catches, investigations and paperwork—these are the activities people typically associate with fishery officers. However, they also work with species at risk—from whales to wolfish, and in this case, a Leatherback Sea Turtle. Fisheries and Oceans Canada's Maritimes Region Conservation and Protection Branch and Resource Management Branch came together with volunteer groups, the public and the scientific community to gain a better understanding of this endangered species.

When the Conservation and Protection office in Sherbrooke, Nova Scotia, received a call about a deceased Leatherback Sea Turtle that had been found off Canso, its employees did not hesitate to offer their assistance. In collaboration with community members in Canso and the Canadian Sea Turtle Network, arrangements were made to transport the large turtle to the government wharf and the Atlantic Veterinary College in Charlottetown, Prince Edward Island.

Fishery officers Graves and Corkum talking with a Fisherman's Market employee about the importance of the turtle.
© Jeff Schuyler, Fisheries and Oceans Canada, Maritimes Region

Fishery officers met the vessel at the wharf and, and with assistance from staff of the nearby Fisherman's Market, they moved the two-metre turtle to a Conservation and Protection truck. They covered the turtle with a tarp and ice before setting out on the five-hour trip to the Atlantic Veterinary College. Time was of the essence, because the turtle was at risk of decomposing quickly in the summer heat. Although the loss of this great creature is tragic, it will not be in vain, as a recently deceased specimen is invaluable to the scientific community. The research conducted by the Atlantic Veterinary College on this turtle will help expand our knowledge of this solitary and endangered animal.

Protecting species at risk through compliance promotion on Mount Tuam, Salt Spring Island, British Columbia

Mount Tuam is located on Salt Spring Island, which is one of British Columbia's Gulf Islands. The peak of Mount Tuam is a property owned by Transport Canada, leased by NAV Canada, and surrounded by provincial and private land. This parcel of land is part of the Garry Oak ecosystem, housing many SARA-listed species such as Yellow Montane Violet (endangered), Coastal Scouler's Catchfly (endangered), Common Nighthawk (threatened), Olive-sided Flycatcher (threatened), Band-tailed Pigeon (special concern) and Sharp-tailed Snake (endangered).

Several groups are working together at this site to protect these species at risk, including Transport Canada, NAV Canada, the Parks Canada Agency, Environment Canada, and the Salt Spring Island Conservancy. The site's main threats arise from unauthorized access and uses (primarily sightseeing, hiking, and all-terrain vehicle traffic).

A key component of protecting species at risk on federal land is conducting appropriate compliance promotion activities. Environment Canada worked closely with partner departments and organizations to ensure that all stakeholders were aware of the presence of species at risk and of the prohibitions under SARA, and that they understand how to comply with the prohibitions. In 2010, Environment Canada undertook compliance promotion at Mount Tuam by:

- developing a pamphlet that provides information on the species at risk found at the site and on the appropriate use of the site, and distributing the pamphlet to authorized users such as NAV Canada employees;
- developing signage that alerts visitors to the presence of species at risk on the site, and warns them of the fines associated with destruction of the species' habitat; and
- engaging Environment Canada enforcement officers to help deter unauthorized use of the site.

The various stakeholders, including Environment Canada, continue working together to protect the species at risk and their habitat on Mount Tuam. Upcoming projects involve completing the identification of critical habitat, engaging the community and developing educational signage.

3.6 Enforcement

Responsibility for the enforcement of SARA is shared by Environment Canada, the Parks Canada Agency and Fisheries and Oceans Canada. These federal entities work in partnership with Aboriginal, provincial, territorial and international authorities to ensure that listed wildlife species at risk under SARA and identified critical habitat are preserved and protected. More details regarding the applicability of SARA prohibitions (see section 3.1) can be found on the Species at Risk Public Registry at http://sararegistry.gc.ca/involved/you/default_e.cfm.

3.6.1 Enforcement Capacity

Environment Canada has the mandate to enforce, across Canada, the wildlife legislation that protects Canadian species. Four acts are grouped under this mandate:

- the *Species at Risk Act*;
- the *Migratory Birds Convention Act, 1994*;
- the *Canada Wildlife Act*; and
- the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act*.

This suite of legislation is aimed at protecting and conserving wildlife species and their habitats, nationally and internationally. To ensure the effective enforcement of these acts, wildlife officers work in close cooperation with various national and international partners.

Environment Canada's jurisdiction under SARA is limited to federal lands, except for migratory birds. SARA-listed species located on non-federal lands,

except migratory birds and fish, normally fall under the jurisdiction of the province or territory. As of the end of 2010, Environment Canada had a complement of 87 enforcement officers designated to enforce SARA.

The Parks Canada Agency began implementing its new law enforcement program on May 7, 2009, with a contingent of park wardens fully dedicated to law enforcement. In 2010, 33 national parks and historic sites across Canada had a full complement of trained park wardens. Park wardens are responsible for enforcing all legislation related to Parks Canada's full mandate on all lands and waters it administers, including SARA. Although park wardens are located in specific sites, they support other locations at strategic times and as required through temporary workplace assignments.

Fisheries and Oceans Canada's enforcement actions for species at risk are carried out by approximately 635 front-line fishery officers who have been trained and designated as enforcement officers under SARA. Fishery officers are supported by regional and national coordination of SARA enforcement activities. They incorporate SARA enforcement activities into their regular duties under the *Fisheries Act* and other federal statutes and regulations.

3.6.2 Enforcement Activities

Enforcement activities under SARA include patrolling protected areas, investigating alleged violations, taking measures to compel compliance, and assuring compliance through court action. Penalties for contraventions of the Act include liability for costs, fines, imprisonment, alternative measures agreements, and forfeiture of proceeds from illegal activities.

Each year, Environment Canada prioritizes its enforcement activities. In 2010, as in the three previous years, SARA enforcement activities focused on three national priorities:

- Legal obligations: a legal obligation to investigate exists under section 93 of SARA. It comes into play when receiving a public request that an inspection or investigation be carried out concerning an alleged offence involving SARA-listed species, or their critical habitat or residence. This priority also includes inspections related to SARA emergency orders, which play an essential role in addressing immediate conservation concerns.
- Commercial activities: these involve commercial/industrial activities that may entail the bycatch of SARA-listed species.
- The protection of critical habitat on federal lands: critical habitat is the habitat deemed necessary for the survival and recovery of species listed under SARA.

In 2010, Fisheries and Oceans Canada fishery officers dedicated over 17 000 hours to activities related to species at risk, such as operational planning, patrols, inspections, investigations, court cases, public relations and other duties related to enforcing the prohibitions of SARA.

3.6.2.1 Enforcement Tracking and Intelligence

Fisheries and Oceans Canada tracks enforcement activities through the Fisheries Enforcement Activity Tracking System. The Department recorded a total of 70 SARA violations in 2010, resulting in fines, seizures, charges and warnings.

Fisheries and Oceans Canada is building its capacity for strategic intelligence analysis, which will identify individuals, groups and companies that should be monitored for compliance. This involves state-of-the-art intelligence software that is a critical component of intelligence-led policing, as it will increase the efficacy with which the Department can identify, monitor and charge those who intentionally violate the SARA prohibitions and who therefore place species at an increased risk of extinction.

Environment Canada's Wildlife Intelligence Program has a regional intelligence officer for each region and a national intelligence unit. Regional intelligence officers are mainly involved in the collection of operational and tactical intelligence that supports the investigation and inspection programs. The national unit focuses on strategic intelligence and analysis to determine national and international trends in illegal activities related to wildlife species.

The Parks Canada Agency tracks enforcement activities through the Occurrence Tracking System. In 2010, park wardens recorded five law enforcement occurrences related to the protection of species at risk and enforcement of the Act in national parks and historic sites. There were no charges or prosecutions under the prohibitions of SARA.

3.6.2.2 Inspections

Environment Canada's inspection efforts target areas where a positive conservation result is foreseeable. Human activities on federal lands can have an impact on SARA-listed species, and can result in investigations and/or charges related to habitat destruction, illegal capture, poaching, removal from the wild, or disturbance of residences and/or critical habitat. The list of general prohibitions under sections 32 to 36 can be found at www.sararegistry.gc.ca/approach/act/Part9a_e.cfm.

Environment Canada enforcement officers carried out 86 inspections in 2010, six of which resulted in the detection of a violation. An inspection can include several activities or audits and can take place over a period of several days, depending on the type of audit.

As part of their enforcement work, fishery officers conduct regular and targeted inspections to ensure that Canadians are complying with legislation that protects species at risk (e.g. SARA, *Fisheries Act*). Partnerships with other agencies, such as the Canadian Border Services Agency and Canadian Food Inspection Agency, are an important resource to fishery officers in carrying out inspections of cargo, containers and fish shipments that could be used to smuggle species at risk.

In 2010, fishery officers in Fisheries and Oceans Canada's Central and Arctic Region conducted inspections of art galleries and brokers involved in the trade of marine mammal parts such as walrus and narwhal tusks. Officers in the Department's Quebec and Gulf regions carried out regular inspections of groundfish catches for any incidental catch of Northern, Atlantic or Spotted Wolffish. They also responded to tips from the public about the suspected harvest of wolffish for use as bait during the lobster and snow crab fisheries.

3.6.2.3 Investigations

In 2010, Environment Canada successfully prosecuted two cases involving SARA-listed species, one in Ontario and one in the Atlantic Region:

Wallaceburg man sentenced to jail under SARA

In May 2010, a resident of Wallaceburg, Ontario, pleaded guilty in the Ontario Court of Justice to two counts of unlawfully possessing Blanding's Turtles and a Spotted Turtle, in contravention of SARA. The accused was sentenced to imprisonment for a term of four months to be served within the community as per the terms of a conditional sentence order. In addition, the sentence included two years probation and a three-year court order. As a term of probation, the accused is not to engage in hunting, guiding or activities related to the collection of wildlife. Furthermore, the court order prohibits the accused from any contact with other persons sentenced in related matters, from participating in activities related to the capture of wild reptiles, birds or other animals listed under SARA, and from being at or near locations where threatened or endangered species might reasonably be expected to be present.

New Brunswick man fined under SARA for disturbing Piping Plover nesting sites

In October 2010, a man pleaded guilty in New Brunswick Provincial Court under SARA for disturbing Piping Plover nesting sites, and was ordered to pay a $500 fine. This is the first time in Canada that charges and fines have been issued under SARA for the disturbance of Piping Plover nesting sites. In June 2010, the accused was operating an ATV on Plover Ground North Beach in Gloucester County, New Brunswick. The presence of ATVs on beaches where nesting Piping Plovers are present can have serious consequences for these small shorebirds and negatively affect their breeding process. The Piping Plover breeds on the sandy and stony coastal beaches of Atlantic Canada between April and August. It establishes territories, lays eggs and raises young on the open beach between the ocean and dunes. Camouflage is the Plover's main

defence, making the sand-coloured adults, chicks and eggs very difficult to see. The Piping Plover was listed under SARA in 2003.

Environment Canada publishes the outcomes of its main investigations on its website: media releases and enforcement notifications are available at www.ec.gc.ca/alef-ewe/default.asp?lang=En&n=8F711F37-1.

Investigations are an important part of fishery officers' enforcement work. They occur in cases where non-compliance has been discovered. Officers use a number of tools to ensure offenders become compliant with laws that protect species at risk, such as verbal and written warnings, tickets, arrests, seizures, and court-directed fines.

In 2010, Fisheries and Oceans Canada's Pacific Region initiated an investigation following reports of an illegal cull of Steller Sea Lions, a species of special concern under SARA. Because Steller Sea Lions are in direct competition for salmon with fishing lodges and the commercial salmon fishery, some consider them a nuisance. The investigation was still under way as of December 2010.

4. RECOVERY PLANNING FOR LISTED SPECIES

4.1 Legislative Background

Species recovery includes a wide range of measures to restore populations of species at risk. Under SARA, the competent ministers must prepare recovery strategies and action plans for species listed as extirpated, endangered or threatened, and management plans for species listed as being of special concern. Recovery strategies identify threats to the species and its habitat, identify critical habitat to the extent possible, and set population and distribution objectives for the species, while action plans outline the actions to be taken to meet the objectives in the recovery strategy. Management plans include measures for species conservation.

Table 6 shows the required timelines for developing recovery strategies and management plans. The timelines for developing action plans are set within the recovery strategies. Recovery documents are developed by the federal, provincial and territorial jurisdictions responsible for each species, in cooperation and consultation with other directly affected parties as required under the Act.

Table 6: Timeline for developing recovery documents (in years)

Species listing date	Recovery strategy		Management plan
	Endangered	Threatened or extirpated	Special concern
June 5, 2003	3	4	5
New listings after June 5, 2003	1	2	3
Reassessed Schedule 2 or 3 listings, after June 5, 2003	3	4	5

Proposed recovery strategies, action plans and management plans are posted on the Species at Risk Public Registry for a 60-day public comment period. The competent ministers consider comments and make changes where appropriate. The final documents are posted on the Species at Risk Public Registry within 30 days of the close of the public comment period. Five years after a recovery strategy, action plan or management plan comes into effect, the competent ministers must report on progress made toward the stated objectives.

4.2 Recovery Planning

In 2010, significant changes to recovery planning took place to streamline the development and posting of recovery documents. Environment Canada, the Parks Canada Agency, and Fisheries and Oceans Canada collaborated to finalize revised templates and guidelines for the development of recovery strategies, thus enabling the production of more concise, strategic documents. Environment Canada, the Parks Canada Agency, and Fisheries and Oceans Canada identified priorities for operational policies and guidelines for recovery planning and implementation.

Environment Canada continued to review recovery planning documents to identify policy issues and to develop operational guidance that ensures the issues are adequately and consistently addressed. Furthermore, a multi-year plan established to address the backlog of recovery documents produced significant results. In 2010, Environment Canada posted recovery documents for 27 species, a marked improvement from the three species for which recovery documents were posted in 2009. In addition, a large number of recovery documents have been drafted and are at the approval stage.

The Parks Canada Agency continued to work on the preparation of *Guidelines in Compliance with the Species at Risk Act* and on a series of internal operational procedures to translate the federal *Species at Risk Act Policies* document (see section 7.5) into its own operational reality. In parallel with the preparation of these guidance documents, the Agency posted recovery strategies covering 18 species under its responsibility, an improvement from the six recovery strategies posted in 2009.

Recovery Strategies

A recovery strategy is a planning document that identifies what needs to be done to reverse the decline of a species. It sets population and distribution objectives that will assist the recovery and survival of species, and identifies the threats to the species and its habitat and the main activities to address these threats. A single recovery strategy may address multiple species at risk, and Environment Canada, Fisheries and Oceans Canada, and the Parks Canada Agency use a multi-species / ecosystem-based approach for the recovery of species at risk, where appropriate.

Fisheries and Oceans Canada led the elaboration of a comprehensive and complex recovery strategy for the endangered Atlantic Salmon (Inner Bay of Fundy population), a high-profile species that is of significant interest to Aboriginal groups, recreational fishers, the aquaculture industry, environmental groups and the public. This work required facilitating a collaborative process that involved a broad range of internal and external parties with diverse views. After several years in the making, the final document was published in May 2010. Key recovery activities include the operation of a live gene bank and gene-pedigree-making program for Atlantic Salmon (Inner Bay of Fundy population), which has been successful to date in maintaining the remnant populations and preserving this species' distinct genetic diversity. Monitoring of juvenile salmon, which continued through 2010, has confirmed that the program is successful in increasing the abundance of juveniles in the wild, thereby reducing this species' risk of extinction.

Table 7 lists the number of recovery strategies posted on the Species at Risk Public Registry in 2010.

Table 7: Number of recovery strategies posted in 2010, and the listed species at risk covered by them, by competent department

Competent department	Proposed		Final	
	No.	Species covered	No.	Species covered
Environment Canada	6	Loggerhead Shrike, *migrans* subspecies	10	Timber Rattlesnake
		Green-scaled Willow		Poor Pocket Moss
		Slender Mouse-ear-cress		Ottoe Skipper
		Blanchard's Cricket Frog		Eastern Mountain Avens
		Small-flowered Sand-verbena		Furbish's Lousewort
		King Rail		Puget Oregonian Snail
				Spring Blue-eyed Mary
				Pink Coreopsis, Thread-leaved Sundew, Golden Crest, Plymouth Gentian, Redroot, Tubercled Spike-rush*
				Henslow's Sparrow
				Butternut
Fisheries and Oceans Canada	0	–	5	Atlantic Salmon, Inner Bay of Fundy population
				Lake Chubsucker
				Northern Bottlenose Whale, Scotian Shelf population
				Blue Whale, Atlantic population
				North Atlantic Right Whale
Parks Canada Agency	13	Banff Spring Snail (amendment)	5	Haller's Apple Moss
		Eastern Yellow-bellied Racer		Water-pennywort†
		Haller's Apple Moss		Eastern Prickly Pear Cactus
		Water-pennywort†		Deerberry
		Bolander's Quillwort‡		Eastern Yellow-bellied Racer
		Pitcher's Thistle		
		Eastern Prickly Pear Cactus		
		Red Mulberry		
		Lakeside Daisy		
		Deerberry		
		Dwarf Lake Iris		
		Hill's Thistle		
		American Water Willow		

* These six species were covered by one recovery strategy.

† Posted as part of the Atlantic Coastal Plains Flora multi-species recovery strategy.

‡ A proposed recovery strategy and action plan was posted for this species.

Identification of Critical Habitat

SARA defines "critical habitat" as the habitat that is necessary for the survival or recovery of a listed wildlife species. Competent ministers must identify critical habitat to the extent possible, based on the best available information, in recovery strategies and action plans. This requirement helps to protect habitat, maintaining its quality and amount so as to achieve the population and distribution objectives established in the recovery strategy. Environment Canada, the Parks Canada Agency, and Fisheries and Oceans Canada continued to work with government and non-government stakeholders to address policy development, intergovernmental responsibilities and the science associated with identifying critical habitat.

As with the preparation of recovery documents in general, the three departments engaged in substantial background work in 2010 on the identification of critical habitat.

As of December 2009, Environment Canada had identified critical habitat for 14 species. In 2010, the Department identified critical habitat for an additional nine species, for a total of 23 species for which critical habitat has been identified. Six more species had critical habitat identified in proposed recovery documents.

In 2010, critical habitat was identified for five species under the leadership of the Parks Canada Agency: Water-pennywort, Haller's Apple Moss, Eastern Yellow-bellied Racer, Eastern Prickly Pear Cactus, and Deerberry. Where insufficient information existed to identify critical habitat in a recovery strategy, the Agency implemented studies that will enable the identification of critical habitat in the associated action plan.

In 2010, Fisheries and Oceans Canada implemented research and monitoring activities and studies to identify critical habitat for 26 species. For example, research was conducted on morphology, diet, population abundance, habitat use and movements for the Blue Whale. These studies will be included in recovery strategies and action plans to be posted in 2011 and 2012.

Action Plans

An action plan outlines the projects or activities required to meet the population and distribution objectives outlined in the recovery strategy. This includes information on species' critical habitat, protection measures, and an evaluation of the socio-economic costs and benefits. It is the second part of the two-part recovery planning process and is used to implement the projects or activities for improving the species' status.

In 2010, Environment Canada worked on various draft action plans. In addition, progress was made on a number of policy issues that will inform the development of action plans.

In 2010, Parks Canada posted one combined recovery strategy and action plan for public consultation (Bolander's Quillwort). Critical habitat for the species was identified in this action plan. Parks Canada also advanced various additional draft action plans.

Fisheries and Oceans Canada also advanced a number of draft action plans in 2010.

Management Plans

A management plan differs from a recovery strategy and an action plan in that it sets goals and objectives for maintaining sustainable population levels of one or more species of special concern that are particularly sensitive to environmental factors, but that are not in danger of becoming extinct. Whenever possible, these management plans will be prepared for multiple species on an ecosystem or landscape level.

In 2010, all three competent departments continued to work on management plans at various stages of development. Management plans that were posted on the Species at Risk Public Registry in 2010 are listed in Table 8.

Table 8: Number of management plans posted in 2010, and the listed species at risk covered by them, by competent department

Competent department	Proposed		Final	
	No.	Species covered	No.	Species covered
Environment Canada	2	Cerulean Warbler Yellow-breasted Chat	2	Boreal Felt Lichen, Boreal population Sweet Pepperbush, Eastern Lilaeopsis, New Jersey Rush*
Fisheries and Oceans Canada	3	Steller Sea Lion Grey Whale, Eastern North Pacific population Bridle Shiner	1	Yellow Lampmussel
Parks Canada Agency	0		0	

* These three species were covered by one management plan.

5. RECOVERY IMPLEMENTATION

5.1 Protection of Critical Habitat

SARA requires that all critical habitat identified in a recovery strategy or action plan be protected against destruction on federal lands, in the exclusive economic zone or on the continental shelf. The Act indicates the mechanisms that can be used to provide protection, depending upon the location of the critical habitat involved.

The provinces and territories have jurisdiction over species at risk on non-federal lands, and implement protection measures through their legislation and programs. The prohibitions set out in subsections 32, 33 and 61[6] of SARA only apply to non-federal lands when the Governor in Council makes an order, commonly referred to as a safety-net order. The Minister will only recommend the use of a safety-net order to the Governor in Council if the Minister is of the opinion that the laws of the province or territory do not effectively protect a species, its residences or a portion of its critical habitat.

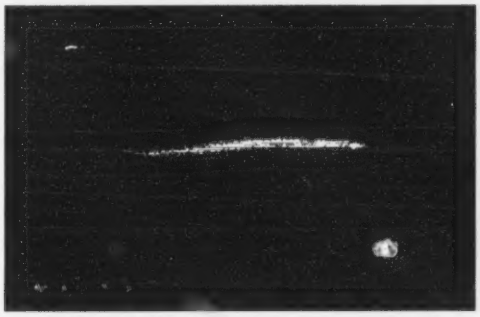
In 2010, Environment Canada continued its efforts to protect critical habitat on federal lands that is not currently protected. In addition, the Department evaluated provincial and territorial measures that have the potential to effectively protect critical habitat on non-federal lands.

The critical habitat on lands administered by the Parks Canada Agency must be legally protected by provisions in or measures under SARA, or any other Act of Parliament, such as the *Canada National Parks Act* and the *Canada National Marine Conservation Areas Act*, among others within 90 days after the recovery strategy or action plan that identified the critical habitat is included in the public registry. In 2010, the Parks Canada Agency protected critical habitat for seven species within six of its protected heritage areas: Fundy National Park of Canada (Atlantic Salmon, Inner Bay of Fundy population); Grasslands National Park of Canada (Eastern Yellow-bellied Racer and Greater Sage-Grouse); Jasper National Park of Canada (Haller's Apple Moss); Kejimkujik National Park and National Historic Site of Canada (Water-pennywort); Point Pelee National Park of Canada (Lake Chubsucker); and Trent-Severn Waterway National Historic Site of Canada (Engelmann's Quillwort). Efforts are ongoing to finalize protection measures for critical habitat of other species on lands administered by the Agency.

[6] Subsection 61(1) of SARA states that no person shall destroy any part of the critical habitat of a listed endangered species or a listed threatened species that is in a province or territory and that is not part of federal lands (see http://laws-lois.justice.gc.ca/eng/acts/S-15.3/page-15.html).

Working Together to Protect Critical Habitat

The Lake Chubsucker, a threatened species under SARA, is a freshwater fish found in southwestern Ontario. It typically inhabits clear, well-vegetated slow-moving or still waters. Critical habitat for the Lake Chubsucker is identified and described in the species' recovery strategy. This critical habitat is found on federal lands, occurring in Big Creek National Wildlife Area, Long Point National Wildlife Area, St. Clair National Wildlife Area, and Point Pelee National Park of Canada. For this portion of critical habitat, legal protection is ensured by the publication of a description in the *Canada Gazette*. In 2010, the Parks Canada Agency led efforts, in close cooperation with Environment Canada and Fisheries and Oceans Canada, to produce the first critical habitat description involving all three responsible departments. The description can be found at www.sararegistry.gc.ca/document/default_e.cfm?documentID=1986.



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5.2 Recovery Activities

5.2.1 Competent Departments' Recovery Activities

In 2010, Environment Canada engaged Aboriginal communities and stakeholders across Canada to discuss conservation and protection of Woodland Caribou, Boreal population (also called boreal caribou). The sessions were also an opportunity for communities to provide input on key elements of the national recovery strategy. Environment Canada has also conducted scientific studies on the Woodland Caribou's habitat needs, and is supporting a process, carried out by Aboriginal people, whereby holders of ATK share their knowledge about Woodland Caribou. As of December 2010, Environment Canada was completing this first phase of work, to be followed by drafting of the national recovery strategy. The strategy will be informed by input received during the Aboriginal community and stakeholder sessions, by ATK, and through scientific studies on the species' habitat needs. Once the strategy is complete, detailed planning will take place at the subsequent action plan stage.

Environment Canada implemented research and monitoring activities on the migration and wintering of the Burrowing Owl, using small solar-powered transmitters and satellite technology. This new technology allows biologists to learn about migration and wintering locations, and ultimately to assess how events occurring at these locations affect the recovery potential of migratory species.

An ongoing recovery activity undertaken by Fisheries and Oceans Canada is the Marine Mammal Response Program, which aids marine mammals and sea turtles in distress. Fisheries and Oceans Canada works in close collaboration with researchers, non-governmental organizations, community groups and other experts to focus on outreach, training, communication among program partners, improved reporting of incidents, and increased response to incidents. In 2010, the Marine Mammal Response Program responded to 500 incidents where marine mammals and sea turtles were reported as being in dangerous situations, such as entanglement.

Fisheries and Oceans Canada continued to implement the Right Whale / Lobster Fishing Gear Interactions Migration Strategy, working closely with lobster fishery associations in the Bay of Fundy to monitor for the presence of Right Whales during the opening weeks of lobster season. In most years, Right Whales have left the area by the time the lobster season opens in November, but some may remain, and so to help minimize interactions between fishing vessels and any lingering Right Whales, Fisheries and Oceans Canada conducts aerial surveys and operates a sighting hotline for fishermen. Fisheries and Oceans Canada continues to work with U.S. partners to understand the recovery needs for the North Atlantic Right Whale.

The release of captive-reared Atlantic Whitefish in Anderson Lake, Nova Scotia, was part of a three-year trial project initiated by Fisheries and Oceans Canada in 2005 to help learn more about the species and to

create a backup population to help minimize the species' risk of extinction. The released fish are surviving and showing signs of maturation, but as there is not yet concrete evidence of a self-sustaining population, this species continues to be monitored closely. In addition, cryopreservation work continues to develop species-specific protocols for Atlantic Whitefish to help preserve its genetic characteristics.

In 2010, the Parks Canada Agency continued to support the implementation of recovery activities in and around protected heritage places. These various projects involved research, recovery activities, and outreach and education, comprising an integrated approach to species recovery. Several projects are conducted in partnership with non-governmental organizations, private citizens, or Aboriginal communities, under the Agency's leadership. For example, in Kejimkujik National Park and National Historic Site of Canada, volunteers recorded over 10 000 hours of work in 2010 on several projects contributing to the achievement of recovery objectives for species at risk, such as the Eastern Ribbon Snake, the Blanding's Turtle and the Piping Plover.

Conserving Canada's Carolinian national park

Point Pelee National Park of Canada, which is located along Lake Erie in southwestern Ontario, is one of Canada's oldest and smallest national parks. Point Pelee protects a remnant of Canada's Carolinian ecozone of the St. Lawrence Lowlands, the natural region with the greatest biodiversity in Canada. The park is home to more species at risk than any other national park, including typical Carolinian tree and plant species, and many animal and plant species associated with wetlands. In 2010, a project was launched to restore the Carolinian habitat mosaic of the park, which will help prevent the imminent loss of the globally rare Lake Erie Sandspit Savannah that sustains 25% of the species at risk protected in the park. As part of the initiative, Point Pelee National Park collaborates with the Carolinian Canada Coalition, a non-profit coalition of over 40 governmental and non-governmental conservation groups and many individuals, working to conserve the biodiversity and health of Canada's most threatened natural region. The innovative activities of this multi-year project involve the participation of communities around the park, through initiatives such as the establishment of a coastal network of partners; the development of a trails network; and youth employment to assist landowners in habitat restoration, coastal management, species at risk research, education and monitoring.

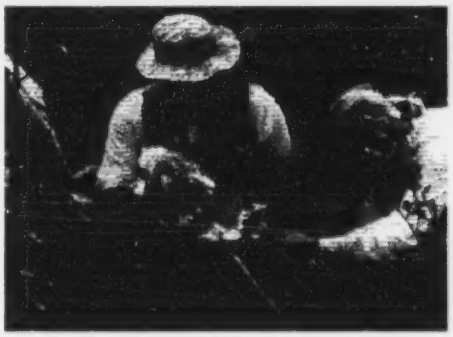
Whooping Cranes "phone home" during spring and fall migration

Whooping Cranes breed in and around Wood Buffalo National Park of Canada, which straddles the border between the Northwest Territories and Alberta, and they winter in southern Texas. The recovery of this species from approximately a dozen birds in 1938 to over 260 in 2010 represents a cross-border conservation success story. Much of the recovery is due to conservation of critical habitat in breeding and wintering areas.

During migration, however, Whooping Cranes remain at risk. Up to 60% of mortalities occur during fall and spring migration, and less than 5% of potential stopover locations for Whooping Cranes are protected. Given the difficulties in obtaining data during this period, migration patterns and habitat use are not well understood.

In 2010, to gain a better understanding of migration routes and habitats, nine juvenile Whooping Cranes in Wood Buffalo National Park were fitted with satellite transmitters to track their movements during fall and spring. Environment Canada conducted this work in collaboration with the Parks Canada Agency and U.S. partners.

The transmitters will provide data for three years, with the information gathered to date having already shed light on the almost 4000-km-long migration. Another 10 cranes will be marked in 2011 to further enhance conservation and improve our understanding of this key species.



Biologists attach satellite transmitters and leg bands to juvenile Whooping Crane.
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5.2.2 Other Recovery Activities

5.2.2.1 Habitat Stewardship Program

The federal Habitat Stewardship Program for Species at Risk was established in 2000 as part of the National Strategy for the Protection of Species at

Risk. The program's goal is to engage Canadians in conservation actions that contribute to the recovery of species at risk. Projects focus on three key areas:

- securing or protecting important habitat to protect species at risk and support their recovery;
- mitigating threats to species at risk caused by human activities; and
- supporting the implementation of priority activities in recovery strategies or action plans.

The Habitat Stewardship Program is co-managed by Environment Canada, Fisheries and Oceans Canada and the Parks Canada Agency, and administered by Environment Canada on a regional basis. Regional implementation boards include representatives from the two federal departments and the Agency, provincial and territorial governments, and other stakeholders where appropriate. These boards provide advice on priorities, program direction and project selection for their regions. Further information on the program is available at www.ec.gc.ca/hsp-pih.

During the tenth year of the program (2009–2010), 229 projects initiated by 171 funding recipients contributed to the recovery of 354 SARA-listed species across Canada. A total of $12.1 million in funding was awarded to these projects, and an additional $24.6 million was leveraged, for a total of $36.7 million. These contributions provided support to stewardship efforts across Canada that resulted in the securement and protection of 335 077 hectares (ha) of land (including 13 367 ha through legally binding means, such as acquisition or conservation easements), and the restoration of 21 436 ha of land and 243 kilometres of shoreline.

Essex–Erie Fish Species at Risk Recovery Program

Late in 2003, the Essex–Erie Fish Species at Risk Recovery Team was formed to prepare a multi-species recovery strategy. This effort, co-chaired by the Essex Region Conservation Authority and Fisheries and Oceans Canada, resulted in a draft recovery strategy in 2005. The recovery strategy describes the threats and actions required to recover eight endangered and threatened fish species (Pugnose Shiner, Northern Madtom, Eastern Sand Darter, Lake Chubsucker, Spotted Gar, Black Redhorse, Channel Darter and Lake Sturgeon), and six species of special concern (Grass Pickerel, Northern Brook Lamprey, Warmouth, Silver Chub, Spotted Sucker and Pugnose Minnow). The recovery strategy highlights the need for restoring riparian habitat, wetlands and fragile lands, and for enhancing water quality to mitigate the threats to fish habitat, primarily on privately owned lands.

To date, the recovery team's implementation partners, who include the Essex Region, Lower Thames Valley, Catfish Creek and Long Point Region conservation authorities and the Essex County Stewardship Network and Stewardship Kent, have implemented seven years of projects supported by the Habitat Stewardship Program. Since 2005, over 180 ha of riparian areas and wetlands have been restored, and 3.75 km of stream bank has been stabilized at over 100 priority properties throughout the study area.

In 2010, the implementation partners worked with over two dozen landowners to establish riparian forest and convert highly erodible agricultural lands to tree cover on approximately 20 ha in the Essex region (Lake St. Clair and Canard River), Rondeau Bay and Long Point region watersheds. An additional 200 metres of shoreline was stabilized, riparian planting was completed on Catfish Creek, and over 2 ha of vernal pools (temporary pools of water) and wetlands were established in the area. An emphasis was placed on ongoing landowner engagement: over 800 landowners were contacted and several landowner workshops were held to provide information on habitat restoration and the technical and financial assistance available for stewardship activities.

Recovery team implementation partners are continuing to identify linkages with other stewardship and conservation activities in the study area, including the Detroit River Remedial Action Plan, Essex/Chatham–Kent Natural Areas Restoration Program, Conservation Action Plan for the Essex Region, and Lake Erie Lakewide Management Plan. The project's success is monitored on an ongoing basis.

5.2.2.2 Interdepartmental Recovery Fund

The Interdepartmental Recovery Fund (IRF) is administered by Environment Canada as part of the National Strategy for the Protection of Species at Risk. Established in 2002, the IRF supports federal departments, agencies and Crown corporations in their efforts to meet the requirements of SARA. Projects must directly relate to the implementation of activities under recovery strategies or action plans, or surveys of species at risk that occur on federal lands or waters or that are under federal jurisdiction. For survey and recovery projects, species assessed by COSEWIC as endangered or threatened, and SARA-listed species, are given higher priority. Since 2009, the IRF has also supported activities that assist federal organizations in preparing proposals for surveys and recovery activities. Participating departments that manage federal lands can also receive support for project-based management activities to implement SARA. More information is available at www.sararegistry.gc.ca/involved/funding/irf_fir/default_e.cfm.

During the IRF's first eight years (2002–2003 to 2009–2010), it has financed 540 projects with an investment of $15.4 million. In 2009–2010, the IRF supported 36 projects, totalling $1.03 million in support of the recovery of 50 species (see Table 9 for breakdown by federal agency). Of the total funds, 63% was applied to recovery actions, 28% to surveys, and 9% to planning projects. Projects were implemented by seven federal departments and three Crown corporations. The projected allocation for the 2010–2011 fiscal year is $1.6 million.

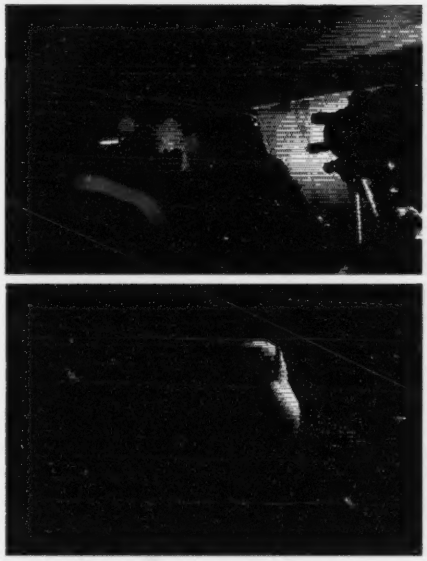
Table 9: Interdepartmental Recovery Fund expenditures, by federal agency, in fiscal year 2009–2010

Lead organization	No. of projects	IRF ($)
Aboriginal Affairs and Northern Development Canada	14	320,055
Environment Canada	4	190,536
Agriculture and Agri-Food Canada	5	180,750
Department of National Defence	4	109,648
Parks Canada Agency	2	53,800
Canadian Museum of Nature	3	50,500
Natural Resources Canada	1	40,000
National Capital Commission	1	35,000
Transport Canada	1	32,000
Atomic Energy of Canada Limited	1	20,000
Total	**36**	**1,032,289**

Ross's Gull and industrial development in Nunavut

The Ross's Gull is the rarest breeding gull in North America. Less than 10 nests are found in most years, with almost all of these located in Nunavut. The only colony where this gull is known to nest every year lies beside an area of high lead/zinc mining potential, as well as on the shipping route to oil and gas reserves in the High Arctic.

Following the finalization of the recovery strategy for this species, Environment Canada, in partnership with Aboriginal Affairs and Northern Development Canada, received funding from the IRF to study how Ross's Gulls react to different types of disturbances. Since 2007, the research team has been trying to determine whether the reactions and behaviours displayed by common ground-nesting seabirds such as Arctic Terns and Sabine's Gulls, which nest around Ross's Gulls, could be used as a surrogate for the effects of disturbance on threatened Ross's Gulls (in other words, how tolerant are these other species to disturbances, and is their behaviour comparable to that of Ross's Gulls). The team has discovered that although these seabirds nest together, Ross's Gulls flush from their nests when perceived threats are at a greater distance from their nest, compared with these other species. In fact, Ross's Gulls may flush when they see people 400 m away. These results are being used to develop setback guidelines for land-use activities, such as mining exploration in Nunavut, in areas where Ross's Gulls (and other SARA-listed species like Ivory Gulls) may nest.



This project takes place at 75.75°N, 96.5°W.
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5.2.2.3 Aboriginal Funds for Species at Risk

The Aboriginal Funds for Species at Risk (AFSAR) program helps Aboriginal organizations and communities across Canada build capacity to participate in the conservation and recovery of species protected under SARA, and species at risk designated by COSEWIC. The program also helps to protect and recover critical habitat or habitat important for species at risk on, or near, First Nations reserves or on land and waters traditionally used by Aboriginal peoples. The program is co-managed by Environment Canada, Fisheries and Oceans Canada, and the Parks Canada Agency, with the support of Aboriginal Affairs and Northern Development Canada and the guidance of national Aboriginal organizations. Environment Canada and Fisheries and Oceans Canada share project administration responsibilities. Further information is available at www.sararegistry.gc.ca/involved/funding/asrp_e.cfm.

In the 2009–2010 fiscal year, AFSAR provided almost $3.3 million for 99 projects, of which approximately $1.2 million targeted aquatic species at risk. These projects leveraged additional funds that exceeded $2.1 million (cash and in-kind). The projects involved more than 85 communities and benefited more than 220 SARA-listed or COSEWIC-assessed species, through increased Aboriginal awareness of species at risk and through the development of strategies, guidelines and practices or the completion of monitoring studies, surveys and inventories.

5.2.2.4 Natural Areas Conservation Program

In March 2007, the Government of Canada announced an investment of $225 million in the new Natural Areas Conservation Program (NACP). Long-term protection of more than 200 000 ha (half a million acres) containing diverse ecosystems, wildlife and natural habitat is the goal of the NACP. The Nature Conservancy of Canada (NCC) administers the NACP, and, in working with other

non-profit, non-governmental conservation organizations, the NCC uses NACP funds to help secure full or partial interests in private lands across southern Canada containing significant ecologically sensitive natural areas.

Using a science-based process, the NCC and its partners work to acquire these lands through donation, purchase or stewardship agreements with private landowners. Under the NACP, priority is given to lands that are nationally or provincially significant, protect habitat for species at risk and migratory birds, or enhance connectivity or corridors between existing protected areas such as national wildlife areas, national parks and migratory bird sanctuaries.

The Government of Canada's contributions under the NACP are matched, at a minimum, dollar for dollar by partner organizations. As of December 2010, the NCC and its partners had contributed more than $239 million to the program, through a combination of matching funds, pledges and donations. Since the program's inception in 2007, 745 land transactions covering more than 151 300 ha have been completed, representing 75.6% of the program's 200 000-ha goal. Furthermore, the NACP has contributed to the protection of habitat for at least 100 different species at risk and to other elements of biodiversity.

5.2.2.5 Outreach and Education

SARA recognizes that all Canadians have a role to play in conserving wildlife, including preventing wildlife species from being extirpated or becoming extinct. The Act also recognizes that the conservation efforts of individual Canadians and communities should be encouraged, and that stewardship activities contributing to the conservation of wildlife species and their habitat should be supported to prevent species from becoming at risk. The Act therefore encourages stewardship and cooperation through provisions for funding programs, conservation agreements and joint programs for species at risk.

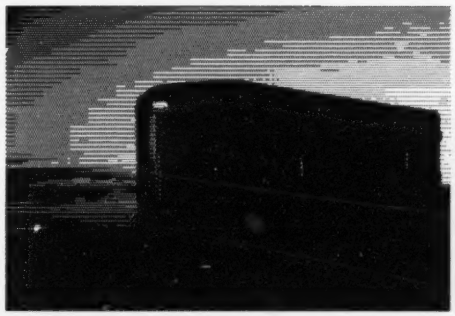
The National Strategy for Public Engagement in the Conservation of Species at Risk, implemented in 2005, has continued to guide educational and outreach activities at Environment Canada. The Department has also continued educating Canadians about species at risk through its longstanding partnership with the Canadian Wildlife Federation in administering the Hinterland Who's Who program, and through developing and publishing species profiles on the Species at Risk Public Registry.

The Parks Canada Agency network of protected heritage places continued to develop educational products and initiatives for species at risk at the local and regional levels in 2010. This included the production of a toolkit comprising thematic fact sheets on SARA, and a presentation to support Parks Canada staff involved in outreach, education and consultation projects.

Fisheries and Oceans Canada invests in key outreach and educational activities to better inform Canadians about species at risk. An example of these activities in 2010 was the development and posting of a video on YouTube (www.youtube.com/watch?v=aCMNBqg6fH4) describing the Lake Sturgeon's basic biology and habitat, population declines, and current at-risk status in Canada. As well, a number of DVDs were produced and then provided to schools and Aboriginal communities in Ontario and across the Prairies. Feedback on these DVDs from teachers, First Nations representatives and the general public has been very positive. In addition, the Aquatic Species at Risk website (www.dfo-mpo.gc.ca/species-especes/index-eng.htm) provides information on aquatic species at risk by region, publishes species profiles, and provides links to ongoing consultations on aquatic species.

The Leaders on the Landscape program

The Leaders on the Landscape program in the Trent–Severn Waterway National Historic Site of Canada aims to combine public education with targeted actions to help at-risk species along the waterway. The program includes several innovative projects—such as the Wetland Discovery Trailer, a vehicle (staffed by two summer students) equipped with touch-screens that activate videos, audio recordings, and visual projections that educate visitors about the waterway's 5000 ha of wetlands and its species at risk. The trailer was a success in 2010 during its tours of lock stations and festivals. Meanwhile, although this technology will help some people learn about wetlands, others will have a more hands-on experience by participating in conservation and recovery fieldwork through the Wetland Education and Restoration programs that form another component of Leaders on the Landscape.



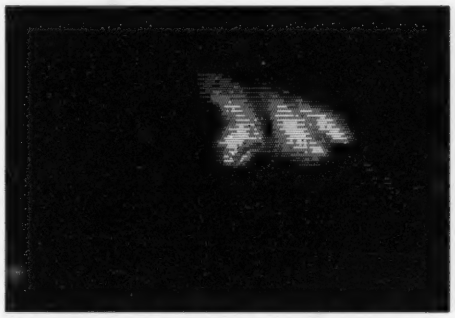
The Wetland Discovery Trailer
© Parks Canada

Name the Beluga Contest

The Name the Beluga Contest gave students in grades 4–6 in Newfoundland and Labrador an opportunity to learn about Beluga Whales and aquatic species at risk in Canadian waters, by participating in a contest to name 10 life-sized Beluga Whale replicas.

More than 1220 entries were received from 75 schools across the province. Names were submitted in a variety of languages, including Inuktitut, Mikmaq, Finnish, Russian, German, Latin and French.

The 10 newly named life-sized Beluga Whale replicas are as follows: Seanotes, Sea pod, Putup (Mikmaq), Glaçon (French), Echo, Bubbles, Atsanik (Inuktitut), Siku (Inuktitut), Delphina (Latin) and Leucas (Latin).



© Jack Lawson, Fisheries and Oceans Canada

Winning students received a visit from a fishery officer in their community, accompanied by a life-sized Beluga Whale replica. The students also received small prizes.

6. MONITORING AND EVALUATION

Monitoring and evaluation involves the examination of actions taken, to ensure that conservation measures are on the right track and achieving recovery goals and objectives. Specifically, the objectives of monitoring and evaluation are to:

- detect changes in the conservation status of a species;
- determine the effectiveness of protection and recovery measures; and
- measure progress toward achieving recovery goals.

The following key principles guide the monitoring and evaluation process:

- The process should be based on reliable data. Specifically, the results of actions aimed at protection and recovery will be tracked and evaluated. The activities required to accomplish this tracking and evaluation will be incorporated into recovery plans.
- The process should reflect adaptive management principles. Recovery goals, objectives and measures will be reviewed in light of monitoring

and evaluation results coupled with consideration of significant external factors (e.g. climatic changes). Protection and recovery measures will be adjusted or adapted to reflect new or changed circumstances in the environment and ecosystem within which species live.

- The process should lead to reassessment. When the situation of a species changes significantly enough to warrant reconsideration of its conservation status, this information will be communicated to the body responsible for species assessment.

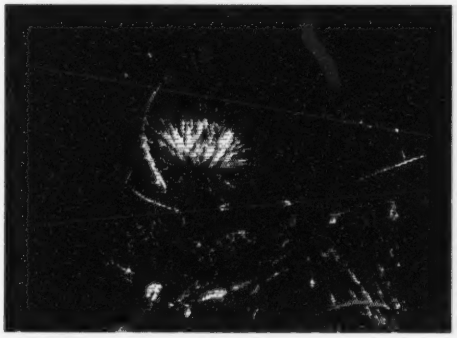
6.1 Recovery Measures Monitoring

In 2010, the Parks Canada Agency continued to monitor its recovery activities as part of its overall monitoring program to assess how well the Agency is achieving its recovery objectives.

Many other monitoring initiatives involving species at risk are ongoing within the heritage areas network of the Parks Canada Agency as part of the regular monitoring program, whether it is to assess the long-term condition of the species or evaluate the results of recovery actions and other management initiatives.

Volunteers at work for Pitcher's Thistle conservation

Pitcher's Thistle is a plant found on dunes and beach ridges on the shores of Lake Huron and Lake Superior in Canada, with a few populations occurring in Pukaskwa National Park of Canada. The species was designated as threatened by COSEWIC in April 1988. Its status was re-examined in April 1999, at which time it was designated as endangered. The species is listed as endangered under SARA and the Ontario *Endangered Species Act* (2007).



Pitcher's Thistle
© Monique Wester, Ontario Ministry of Natural Resources

A recovery team for the species was formed in 2000, and a volunteer monitoring program has been active since 2001, supported by Parks Canada Agency and Habitat Stewardship Program resources. Field surveys have been conducted on all known Pitcher's Thistle sites and most non–Pitcher's Thistle dune sites and potential habitat, with the help of a network of trained volunteers.

Several previously unknown populations of Pitcher's Thistle were discovered through the surveys conducted since 2001. At the same time, monitoring has documented large increases in numbers of individuals in many known populations. Monitoring data gathered through the volunteer network from 2001 to 2009 show a steady, multi-year increase in overall numbers in 15 of the 30 populations. Some populations have increased as much as 200–800%, while others have experienced more modest increases.

The 10-year volunteer monitoring effort has increased our knowledge of the species populations in Canada, and as a result the species' status was downlisted by COSEWIC to special concern in November 2010.

6.2 Parliamentary Five-year Review of SARA

Section 129 of SARA requires that five years after that section comes into force (the section came into force on June 5, 2003), a committee of the House of Commons, Senate or both Houses of Parliament is to be designated or established for the purpose of reviewing the Act. The Parliamentary five-year review of SARA was referred to the House of Commons Standing Committee on Environment and Sustainable Development on February 24, 2009. The committee commenced its substantive work in March 2009, and in 2010 it held seven days of hearings. Officials from Environment Canada, Fisheries and Oceans Canada, and the Parks Canada Agency, and representatives from Aboriginal organizations, industry, environmental non-governmental organizations, conservation organizations and scientific entities appeared before the committee.

Along with officials from the three competent departments, the following organizations appeared before the committee in 2010:

Aboriginal organizations

- National Aboriginal Council on Species at Risk (NACOSAR)
- Nunavut Wildlife Management Board
- Assembly of First Nations
- Congress of Aboriginal Peoples
- Maritime Aboriginal Peoples Council
- Walpole Island First Nation
- Athabasca Chipewyan First Nation

Environmental non-governmental organizations

- David Suzuki Foundation
- World Wildlife Fund-Canada
- Canadian Parks and Wilderness Society
- Ecojustice

Conservation organizations

- Ontario Federation of Anglers and Hunters
- Atlantic Salmon Federation

Scientific entities

- Scientific Committee on Species at Risk
- Pearson Ecological
- Scott Findlay (University of Ottawa)
- Lance Barret-Lennard (University of British Columbia, Vancouver Aquarium Marine Science Centre)

Industry

- Fisheries Council of Canada
- Forest Products Association of Canada
- Mining Association of Canada

More information on the Parliamentary five-year review can be found at www.sararegistry.gc.ca/approach/act/parl_review_e.cfm and www2.parl.gc.ca/CommitteeBusiness/StudyActivityHome.aspx?Cmte=ENVI&Stac=3048685&Language=E&Mode=1&Parl=40&Ses=3.

6.3 SARA General Status Report

SARA requires that a general report on the status of wildlife species be prepared five years after section 128 comes into force (2003) and every five years thereafter. The report's purpose is to provide Canadians with an overview of which wild species are doing fine, which to keep an eye on, and which need to be formally assessed or reassessed by COSEWIC. The SARA General Status Reports are overview documents that summarize larger reports entitled *Wild Species: The General Status of Species in Canada* (see section 2.1), prepared by a federal–provincial–territorial group of experts. The first SARA General Status Report was released in 2009 by Environment Canada, entitled *The Status of Wild Species in Canada: Species at Risk Act General Status Report, Overview Document 2003–2008*. This document was largely based on the *Wild Species 2005* report, and also provided an update on general status rankings since the release of the *Wild Species 2005* report, primarily resulting from new assessments by COSEWIC. The next SARA General Status Report will be prepared shortly after the release of the *Wild Species 2010* report. These documents fulfill the Minister of the Environment's obligation under SARA to provide a

general report on Canada's wildlife. The first report is available on the Species at Risk Public Registry at www.sararegistry.gc.ca/document/dspHTML_e.cfm?ocid=7382.

7. CONSULTATION AND GOVERNANCE

7.1 Ministers' Round Table

Section 127 of SARA states that the Minister of the Environment must, at least once every two years, convene a round table of persons interested in matters respecting the protection of wildlife species at risk in Canada, to advise the Minister on those matters. The third SARA round table was held in Gatineau, Quebec, on December 20, 2010. It was attended by conservation organizations with an interest in SARA, including representatives from Nature Canada, World Wildlife Fund-Canada, the Nature Conservancy of Canada, Ducks Unlimited Canada, Trout Unlimited Canada, and the Canadian Parks and Wilderness Society. Overall, the discussion focused on national conservation efforts and the role that SARA plays in contributing to those efforts. No written recommendations were received.

7.2 Consultation with Aboriginal Groups and Other Stakeholders

7.2.1 National Aboriginal Council on Species at Risk

SARA recognizes that the role of Aboriginal peoples in the conservation of wildlife is essential and that Aboriginal peoples possess unique traditional knowledge concerning wildlife species. The National Aboriginal Council on Species at Risk (NACOSAR), composed of representatives of Aboriginal peoples in Canada, was created under section 8.1 of SARA to advise the Minister of the Environment on the administration of the Act and to provide advice and recommendations to the Canadian Endangered Species Conservation Council (see section 7.3.1).

In May 2010, the Minister appointed seven new NACOSAR members with representation from National Aboriginal Organizations, for varied terms of two and three years. Activities and accomplishments throughout 2010 include the following:

- In April, a NACOSAR representative gave a presentation to the Standing Committee on Environment and Sustainable Development for the Parliamentary five-year review of SARA.
- At Fisheries and Oceans Canada Regional Workshops, members of NACOSAR and its Policy and Planning Committee provided input on guidance documents on incorporating ATK into the implementation of SARA.
- Aboriginal advice and recommendations for consultations on the recovery strategy for Boreal Caribou was provided by the National Aboriginal Organization Boreal Caribou Advisory Group, which included a member nominated by NACOSAR.
- The Policy and Planning Committee continued to provide advice on the Aboriginal species at risk funding programs.
- NACOSAR and its Policy and Planning Committee held a number of teleconferences, and the committee held its first meeting (in Halifax) to finalize its terms of reference, begin to set priorities and establish work plans.
- A NACOSAR Coordinator was hired to work with NACOSAR and the Policy and Planning Committee.

7.2.2 Species at Risk Advisory Committee

The purpose of the Species at Risk Advisory Committee (SARAC) is to provide advice on the implementation of SARA to the Species at Risk Assistant Deputy Ministers' Committee, and to promote and encourage the effective stewardship of Canada's biological diversity and provide advice on federal programs and activities related to species at risk, so as to achieve the purposes of SARA.

SARAC consists of a maximum of 20 members drawn from a balanced number of non-governmental, industry and agriculture organizations, and other parties that are national in scope and nationally

recognized as possessing particular expertise in wildlife science, public policy, and law development and/or implementation—all of whom are concerned with the effective implementation of SARA.

SARAC held several teleconferences and one meeting in 2010. Discussions and advice regarding SARA implementation included the following:

- reviewing bilateral agreements;
- expanding on the recommendations provided in the brief to the Standing Committee on Environment and Sustainable Development;
- providing advice and recommendations for consultations on the recovery strategy for Boreal Caribou;
- SARA requirements for environmental assessment;
- reviewing the role of conservation agreements, including the stewardship arrangements;
- reviewing the multi-species ecosystem-based approach; and
- reviewing and providing guidance on environmental assessment of species at risk under the *Canadian Environmental Assessment Act*.

7.2.3 Strategic Plan for Aboriginal Involvement in the Aquatic Species at Risk Program

Given the number of management units involved in SARA delivery at Fisheries and Oceans Canada, both nationally and regionally, the Strategic Plan for Aboriginal Involvement in the Aquatic Species at Risk Program was developed to provide a nationally consistent perspective on the objectives, priorities, strategies and critical outcomes of Aboriginal involvement in the Aquatic Species at Risk Program. The Strategic Plan complements Fisheries and Oceans Canada's Integrated Aboriginal Policy Framework (www.dfo-mpo.gc.ca/fm-gp/aboriginal-autochtones/iapf-cipa-eng.htm), and incorporates the same vision: supporting healthy and prosperous Aboriginal communities.

Additionally, the Strategic Plan is helping guide the implementation of SARA at Fisheries and Oceans Canada, and is serving as a support tool for a five-year period (2009–2014). The plan will be a foundation for planning and priority-setting processes for the Aquatic Species at Risk Program. For example, in response to one of the plan's strategic objectives, a process for joint capacity building between Fisheries and Oceans Canada and lower-capacity AFSAR recipients was developed in 2010.

7.2.4 Species at Risk – Aboriginal Interdepartmental Committee

The Species at Risk – Aboriginal Interdepartmental Committee, established in 2004, works collaboratively with the Atlantic Aboriginal community to encourage and strengthen the involvement of Aboriginal peoples, and promote the consideration and inclusion of ATK, in the implementation of species at risk activities in Atlantic Canada. The 2009–2010 fiscal year has proven to be a hallmark year for this committee, composed of representatives from Fisheries and Oceans Canada's three Atlantic Regions, Environment Canada, the Parks Canada Agency, and Aboriginal Affairs and Northern Development Canada. Adhering to guiding principles that assign high value to relationship building, and the associated trust that is crucial to moving forward constructively, the committee has witnessed, with the help of productive workshops, the effective emergence of the Atlantic Aboriginal Protection of Species Committee (AAPSC), which is composed of staff members from Fisheries and Oceans Canada's Aboriginal Aquatic Resource and Ocean Management Program and representatives from Atlantic Aboriginal organizations. The AAPSC's goal is to increase Aboriginal participation in all stages of the listing, maintenance, sustainable management and preservation of species and habitats of concern in Atlantic Canada. Once the AAPSC Terms of Reference are approved by the Boards of Directors (Chiefs) of their organizations, the AAPSC will be a formally recognized group that can work with the Aboriginal Interdepartmental Committee at the technical level.

7.3 Cooperation with Other Jurisdictions

The federal, provincial and territorial governments agreed to the National Framework for Species at Risk Conservation in June 2007. This framework supports implementation of the Accord for the Protection of Species at Risk, by providing a set of common principles, objectives and overarching approaches for species at risk conservation to guide federal, provincial and territorial species at risk programs and policies. The framework's objectives are to:

- facilitate coordination and cooperation among jurisdictions involved with species at risk;
- encourage greater national coherence and consistency in jurisdictional policies and procedures; and
- provide context and common ground for federal–provincial–territorial bilateral agreements.

SARA recognizes that the responsibility for conservation of wildlife in Canada is shared by federal, provincial and territorial governments. The federal government is responsible for terrestrial species found on federal lands as well as aquatic species and migratory birds, while the provincial and territorial governments are primarily responsible for other species. SARA is designed to work with provincial and territorial legislation.

7.3.1 Canadian Endangered Species Conservation Council

The Canadian Endangered Species Conservation Council (CESCC) was established under the 1996 Accord for the Protection of Species at Risk, and was formally recognized under SARA. Composed of federal, provincial and territorial ministers responsible for conservation and management of species at risk, CESCC provides (under SARA) general direction on the activities of COSEWIC, on the preparation of recovery strategies, and on the preparation and implementation of action plans, and coordinates the activities of the various governments represented on the council as the activities relate to the protection of species at risk.

In June 2010, CESCC Deputy Ministers met with the Deputy Ministers' Committee of the Wildlife Ministers' Council of Canada in Corner Brook, Newfoundland and Labrador. Deputy Ministers provided direction in several areas related to species at risk and wildlife, including ongoing work related to managing wildlife disease in Canada, the Polar Bear Conservation Strategy, and the *Wild Species 2010* and *State of the Birds* reports. They also provided advice on several process matters related to COSEWIC, including the nomination and appointment of members as well as the annual report. Deputy Ministers requested that a discussion on species at risk be a standing item for future CESCC meetings.

7.3.2 Bilateral Administrative Agreements

Administrative agreements are intended to foster collaboration on the implementation of SARA and provincial and territorial endangered species legislation. The establishment of governance structures for inter-jurisdictional cooperation is central to the effective implementation of the Act.

Accordingly, the competent departments are negotiating bilateral administrative agreements on species at risk with all provinces and territories. The agreements set out shared objectives, and commitments for the governments to cooperate on species at risk initiatives. As of 2010, agreements have been signed with the governments of British Columbia, Ontario, Quebec and Saskatchewan, and a Memorandum of Understanding is in place with the Nunavut Wildlife Management Board. Agreements with other provinces and territories are at various stages of negotiation.

7.3.3 Canadian Wildlife Directors Committee

The Canadian Wildlife Directors Committee (CWDC) plays an important role in inter-jurisdictional cooperation on species at risk. The committee, co-chaired by Environment Canada and a province or territory on a rotating basis (Northwest Territories in 2010), comprises federal, provincial and territorial wildlife directors, including representatives from Environment Canada, Fisheries and Oceans Canada, and the Parks Canada Agency. As an advisory body

on wildlife issues, including species at risk, the CWDC provides leadership in the development and coordination of policies, strategies, programs and activities that address wildlife issues of national concern and help conserve biodiversity. It also advises and supports the CESCC and the Wildlife Ministers' Council of Canada's Deputy Ministers' and Ministers' councils on these matters.

The CWDC met twice in 2010 and held a series of conference calls to address various issues, including several related to species at risk:

- providing advice to the Deputy Ministers' Council and the CESCC;
- coordinating program activities among jurisdictions;
- providing guidance to the National General Status Working Group, which produces the reports entitled *Wild Species: The General Status of Species in Canada*; and
- providing guidance to COSEWIC.

7.3.4 National General Status Working Group

The National General Status Working Group (NGSWG), composed of representatives from the federal government and all provincial and territorial governments, was established by the CWDC to meet the commitment of monitoring, assessing and reporting on the status of wildlife, as required under the Accord for the Protection of Species at Risk. Members of the group are responsible for completing the general status assessments of species in their jurisdictions, which the group then uses to produce the reports *Wild Species: The General Status of Species in Canada*.

Environment Canada is co-chair and coordinator of the NGSWG; the other co-chair is currently the Government of Newfoundland and Labrador. Other members from the federal government include the Parks Canada Agency and Fisheries and Oceans Canada. In 2009, three ex officio members joined the working group: Agriculture and Agri-Food Canada, Natural Resources Canada, and NatureServe Canada (www.natureserve-canada.ca). Members of the working group are responsible to the CWDC and ultimately to the CESCC.

In 2010, the NGSWG completed the assessments of species that will be included in the *Wild Species 2010* report, which should be released in early 2011, and prepared the work plan for the *Wild Species 2015* report.

7.4 Federal Coordinating Committees

The federal government has established governance structures to support federal implementation of SARA and its supporting programs. Several committees, composed of senior officials from Environment Canada, Fisheries and Oceans Canada, and the Parks Canada Agency, meet regularly to discuss policy and strategic issues, and to monitor SARA implementation. These include:

- the Species at Risk Deputy Ministers Steering Committee;
- the Species at Risk Assistant Deputy Ministers Committee; and
- the Species at Risk Directors-General Operations Committee.

The Species at Risk Assistant Deputy Ministers Committee and the Species at Risk Directors-General Operations Committee met regularly in 2010 to discuss and provide direction on matters related to SARA implementation, such as:

- development and implementation of processes related to SARA listing and recovery;
- development and implementation of bilateral agreements; and
- approval of priorities and projects under the three species at risk funding programs (Habitat Stewardship Program, Aboriginal Funds for Species at Risk and Interdepartmental Recovery Fund).

7.5 *SARA Policies: Overarching Policy Framework*

The federal government developed the *Species at Risk Act Policies: Overarching Policy Framework* to explain its intentions in meeting its obligations

under SARA. This policy suite has three primary objectives:

- to clarify the intent of authorities and provisions under SARA;
- to establish guiding principles for the implementation of SARA; and
- to clarify our understanding of the roles and responsibilities of the various jurisdictions involved in the protection and recovery of species at risk.

Two consultation periods on development of the policy suite were undertaken. The first, in 2008, was with key stakeholders, including provinces, territories and SARAC (see section 7.2.2). Stakeholders and the general public were then given the opportunity to provide comments on a draft version of the policy document, posted on the Species at Risk Public Registry. This second consultation period ended in early 2010.

Since then, the competent departments have worked to incorporate comments from the consultation into an updated version of the *Overarching Policy Framework*. The document also takes into account recent decisions by the Federal Court of Canada. The final, revised version is expected to be published in 2011.

7.6 Species at Risk Public Registry

The online Species at Risk Public Registry fulfills the requirement under SARA for the Minister of the Environment to establish a public registry for the purpose of facilitating access to SARA-related documents. In addition to providing access to documents and information related to the Act, the Public Registry provides a forum to submit comments on SARA-related documents being developed by the Government of Canada. It has been accessible since the proclamation of SARA in 2003.

Section 123 of SARA identifies documents that must be published on the Public Registry, including:

- regulations and orders made under the Act;
- agreements entered into under section 10 of the Act;
- COSEWIC's criteria for the classification of wildlife species;
- status reports on wildlife species that COSEWIC has prepared or has received with an application;
- the List of Wildlife Species at Risk;
- codes of practice, national standards, or guidelines established under the Act;
- agreements and reports filed under section 111 or subsection 113(2) of the Act, or notices that these have been filed in court and are available to the public; and
- all reports made under sections 126 and 128 of the Act.

Other documents prepared in response to the requirements of SARA include recovery strategies, action plans, management plans, and reports on round-table meetings.

Information in the Species at Risk Public Registry is maintained through the collaborative efforts of partners and stakeholders, and is an important tool in engaging and informing Canadians on species at risk issues.

In 2010, 453 documents were published on the registry. Documents included SARA and COSEWIC annual reports, consultation documents, COSEWIC status reports and species assessments, ministerial response statements, recovery strategies, management plans, species profiles, and over one hundred permit explanations. Of particular note was the number of responses to the document, "Consultation on Amending the List of Species under the Species at Risk Act: Terrestrial Species." A record number of responses to consultations, over 2500, were sent in by Canadians. Two of the most popular areas of the site for 2010 include text of the Act and the A to Z Species Index.

8. FURTHER INFORMATION

To obtain further information or publications—and to submit questions or comments—concerning species at risk programs and activities, please contact any of the three departments, as follows:

Environment Canada
Inquiry Centre
10 Wellington Street, 23rd Floor
Gatineau QC K1A 0H3
Tel.: 1-800-668-6767 (in Canada only)
or 819-997-2800
Fax: 819-994-1412
TTY: 819-994-0736
Email: enviroinfo@ec.gc.ca

Fisheries and Oceans Canada
Communications Branch
200 Kent Street
3rd Floor, Station 13228
Ottawa, Ontario
Canada K1A 0E6
Tel.: 613-993-0999
Fax: 613-990-1866
Email: info@dfo-mpo.gc.ca

Parks Canada Agency
National Office
25 Eddy Street
Gatineau, Quebec
Canada K1A 0M5
Tel.: 888-773-8888
Email: information@pc.gc.ca

Public Registry Office
For more information on the Species at Risk Public Registry, and to submit questions or comments on the Public Registry, please contact the following office:

SARA Public Registry Office
351 St. Joseph Boulevard, 21st Floor
Gatineau, Quebec
Canada K1A 0H3
Email: SARAregistry@ec.gc.ca